

The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF MISSISSIPPI;

AT THEIR

SIXTH SESSION,

HELD IN THE

TOWN OF JACKSON.

Dec. 1822

JACKSON, (Miss.)

PRINTED BY PETER ISLER.

.....
1823.

BOSTON, - - MASS.

MASSACHUSETTS
TO
LIBRARY

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

BEGUN and held in the Town of Jackson, in the county of Hinds, State of Mississippi, on the twenty-third day of December, one thousand eight hundred and twenty-two, and forty seventh year of the Independence of the United States of North America; being the sixth Session of the Legislature of the State of Mississippi, held under the Constitution and form of Government thereof—on which day, being the day appointed by law, and place of the meeting of the General Assembly of said State, the following Members appeared, produced their credentials; and having taken the oath required by the Constitution, administered by his Excellency, the Governor of the State, took their seats in the Representative Chamber, viz:

Christopher H. Williams—*Monroe*,
Benjamin F. Smith—*Hinds*,
James Gibson—*Warren*,
Daniel Burnet, Adam Gordon—*Claiborne*,
Isaac N. Selser—*Jefferson*,
Bela Metcalfe—*City of Natchez*,
John Snodgrass, George Dougherty—*Adams*,
Francis Graves—*Amite*,
Richard Davidson, David Cleveland, John Burton—*Pike*,
Henry Cage, Gerrard C. Brandon, } *Wilkinson*,
Moses Liddell, }
Abram Ard—*Marion*,
Harmon Runnels, Arthur Fox, Joseph Cooper—*Lawrence*,
William Reed—*Covington*,
Samuel W. Dickson—*Wayne*.

And a majority of the whole number of Representatives being present, were ready to proceed to business:

Whereupon—

Mr. Runnels was called to the chair, and the House proceeded to the election of a Speaker, under Messrs. Dickson and Gibson, appointed Tellers; and upon counting the votes upon the final election, it appeared that Mr. Brandon was duly elected; who being conducted to the chair, made an address to the House upon the subject of his appointment, and entered upon the duties of his office.

On motion of Mr. Burton,

The House proceeded to the election of a Clerk to the House, under the direction of the same Tellers; and upon counting the votes, it appeared that P. A. Vandorn was unanimously elected, who appeared, took the oath of office, and his seat at the clerk's table.

On motion of Mr. Runnels,

The House proceeded to the election of a Door Keeper under the same Tellers; and upon counting the votes, it appeared that Dillard Collins was duly elected, who gave his attendance at the door.

On motion of Mr. Burnet,

Ordered, That the Clerk inform the Senate, that a quorum of the House have convened, elected Gerrard C. Brandon, Speaker; Peter A. Vandorn, Clerk; and Dillard Collins, Door Keeper; and are now ready to proceed to business.

A Message from the Senate, by Mr. Willis, their Secretary.

MR. SPEAKER,

The Senate have convened and formed a quorum. They have elected Thomas A. Willis, their Secretary; and Joseph Pierce, Door Keeper; and are now ready to proceed to business.

The Senate have adopted the following Resolution, in which they desire the concurrence of the House of Representatives, viz:

Resolved, That a committee be appointed to act with such committee as may be appointed by the House of Representatives, to wait on his Excellency, the Governor, and inform him that a quorum of the two Houses are now met, and ready to receive any communication he may be pleased to make to them.

They have on their part appointed Messrs. Anderson and Barry;

And then he withdrew.

On motion of Mr. Runnels,

Resolved, That the House concur in the said Resolution from the Senate.

Whereupon—

Messrs. Burnet, Runnels and Burton, were appointed to act jointly with the committee appointed by the Senate.

Ordered, that the Clerk inform the Senate thereof.

On motion of Mr. Burton,

Resolved, That the Rules adopted by the House of Representatives at the last Session of the General Assembly, be the Rules for the government of this House, until altered.

Mr. Lang, a Member from the county of Wayne appeared, produced his credentials, and took his seat.

On motion of Mr. Cage,

Resolved, That the Speaker appoint, agreeably to the Rules of this House, the standing committees.

On motion of Mr. Metcalfe,

Resolved, That with the concurrence of the Senate, a joint committee be appointed to receive proposals for the Public Printing, and report thereon;

And Messrs. Metcalfe, Fox and Snodgrass were appointed.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Burnet, from the joint committee appointed to wait on the Governor, and inform him that the two Houses of the General Assembly had convened, and were ready to receive any communication he might be pleased to make to them, reported, that the committee had performed that duty, and were informed by his Excellency, that he would at 12 o'clock to-morrow, make a communication in writing to the two Houses.

On motion of Mr. Burnet,

Resolved, That when this House adjourn, it will adjourn to meet at 10 o'clock to-morrow.

And then the House adjourned.

TUESDAY, 24th DECEMBER, 1822

The House met pursuant to adjournment.

On motion of Mr. Burton,

Ordered, That the Secretary of State be required to furnish the House of Representatives with the Books and Maps belonging to the Legislature.

David Reese, a member from the county of Perry,

Joseph Robertson, from the county of Franklin,

Richard Hurst and James Jones, from the county of Amite,

And John McLeod, from the county of Green, appeared, produced their credentials, and took their seats.

On motion of Mr. Dougherty,

Resolved, That — copies of the Rules adopted for the government of this House be printed for the use of the Members.

On motion of Mr. Fox,

Resolved, That the blank in the said Resolution be filled with the word *fifty*.

On motion of Mr. Burnet,

Ordered, that the Clerk of this House have the said Rules printed in pursuance of the Resolution aforesaid.

On motion of Mr. Burnet,

Resolved, With the concurrence of the Senate, that the Joint Rules for the government of both Houses of the last Session be adopted.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Metcalfe submitted the following Resolution, viz:

Resolved, That a committee, to be called the committee in the Judiciary, to consist of — members, be appointed.

On motion of Mr. Burnet,

Ordered, that the same lie on the table.

A Message from the Senate, by Mr. Willis, their Secretary.

MR. SPEAKER,

The Senate have concurred in the Resolution from the House of Representatives, appointing a joint committee to receive proposals for the Public Printing, and report thereon; and have on their part appointed Messrs. Anderson and Brown, to act with the committee appointed by the House of Representatives.

They have also concurred in the Resolution from the House of Representatives, adopting the Joint Rules of the last General Assembly;

And then he withdrew.

On motion of Mr. Burnet,

Ordered, That a committee of three members be appointed to inquire into what Furniture, is or may be necessary for the accommodation of this House, and to report the same by Resolution or otherwise.

And Messrs. Burnet, Runnels and Davidson were appointed.

A Message from the Governor, by Mr. Patrick, his private Secretary. viz:

*Fellow-Citizens of the Senate,
and of the House of Representatives.*

IN taking a retrospective view of the events of the past season, we have abundant cause for the exercise of our gratitude to the Supreme Being for the manifold blessings, which, in the dispensations of his Divine Providence, we have been permitted to enjoy. Although many of our fellow-citizens have been visited by afflictions, and some have fallen victims to the awful King of Terrors, yet those visitations have been less severe in our own State, than in some of our sister states, where sickness has been more prevalent, and disease more fatal, than we have found them here. And while the yellow fever, that dreadful scourge of our country, has made great havoc in some of the principal cities of several of our sister states and territories, the city of Natchez, the great emporium of our State, has enjoyed comparatively, a great portion of health; and when we consider its contiguity to the city of New-Orleans, and the continual intercourse between those places; we cannot but believe, under the blessing of Providence, much of the healthiness of Natchez has been owing to the animated vigilance and perseverance of the Board of Health and the Police of the city; and that, a perseverance in these exertions, will do much in preventing the fatal progress of that dreadful disease, by removing many of the causes, and rendering the disease itself less infectious. Although the effects of the drought experienced the past summer, has been considerably felt in some parts of the State, yet it is believed, the products of agriculture will afford an abundant supply of the necessary comforts of life, besides yielding a large surplus for exportation.

The laws passed at the last session of the General Assembly, and comprising much the greatest portion of the laws directed to be incorporated in the Revised Code, have been so recently promulgated, that time has not been afforded, to test their utility, or develope their defects. And should it (appear at first view, that they contain defects, (which no doubt they do, as human wisdom is not infallible,) it would seem to be the wisest course to permit those defects to be discovered by their practical operation; for we frequently think that we discover defects in laws at first view, which, after we have experienced their effects by their operation, we sometimes consider as their greatest perfection. Thus, it has sometimes happened, that members of a Legislative body have strenuously and honestly opposed laws while on their passage, and have, after *experience* discovered their effects, become admirers of those same laws.—Besides, unless a law would *evidently* be oppressive in its operation, if the next succeeding Legislature after its passage were to repeal it, merely because they were of opinion that it ought not to have been passed, it would create a continual change and variation of our Code of laws, whereby the greatest portion of our fellow-citizens, who are to be governed by them, would remain entirely ignorant of what they were; and those, whose duty it is to administer the law, would find much embarrassment and perplexity, in expounding and applying it to the various cases, on which they would have to decide. And even those whose profession makes it necessary for them to know and understand the law, would often find themselves much at a loss, in the discharge of their professional labors, in consequence of the continual fluctuation of our statutes, and thus we should be again thrown back into the same diffi-

culties, from which we have so recently emerged, at so great an expense, as that incurred by the revision and consolidation of our statutes. Nor are these the only evils which result from frequent changes and alterations in the statutes of a State: it begets a spirit of innovation in society, and affords a favorable opportunity for demagogues to disturb the public mind, by pointing out imaginary defects in laws just passed, in order to render them unpopular with the people, and thereby to put down those who favored their passage, that they may themselves have an opportunity of being elected in their stead; since, as they have little merit of their own, they cannot succeed in their views unless they can make the people believe, that their late Representatives have been guilty of vice or folly, in advocating laws, which those demagogues endeavor to prove, are so repugnant to the interest and happiness of the community; and thus would the laws of every succeeding session, be an innovation upon those of the preceding one. As the human mind is so framed as to produce a variety of opinions on the same subject, it seldom happens, that any law will entirely meet the approbation of all who favor its passage; and, as a Legislative body is composed of many individuals, possessing different opinions on the same subject, it cannot be expected, that all should agree in the various details of any one law; and should every member reject *every* law, because every section did not meet his entire approbation, because it did not contain *all* that *he thought necessary*, there would, at once, be an end to all useful legislation. When, therefore, we reflect on the various opinions of different persons on the same subject, we must naturally conclude, that no law can meet the entire approbation of every person, nor, that the whole details of any law, can meet the entire ap-

probation of any one person. And as we know that social order cannot be maintained, nor the rights of persons or property be protected without the aid of laws, it becomes much more important, that laws should be known and understood, than, that they should be entirely approved by every member of society; because the former is not difficult to attain, where laws remain permanent, while the latter is impracticable in any situation of things. I would not, however, be understood to mean, that our laws should, like those of the Medes and Persians, remain forever unalterable; but that they should only be altered when their defects shall have been developed by their practical operation; or, while their defects shall be palpable, and apparent at the first view, to every experienced and judicious mind, for it is a sound maxim in political science, that too much legislation is much more injurious to society, than too little. In conformity with the provisions of an act of the General Assembly, approved on the 30th of June last, three Commissioners have been appointed to contract for the printing and binding of fifteen hundred copies of the edition of the Laws of this State, who have accordingly contracted for the performance of that work. A person has also been appointed to make an appendix, index, and marginal notes to the said edition, under whose superintendence the printing of the same is to be conducted.

The loan of five thousand five hundred dollars, authorized by an act of the last session of the General Assembly, for the purpose of opening the Pearl and Big Black rivers, has been obtained from the Bank of the State of Mississippi. In order to avoid the payment of interest unnecessarily, it was not deemed expedient to procure this loan, until it was known the money would soon be

wanted. As soon, therefore, as that was ascertained, the loan was effected, and the money placed subject to the order of the Treasurer.

In compliance with the Resolution of the General Assembly, approved on the 29th of June last, authorizing the Governor to procure, at the expense of the State, "an elegant copy of the Encyclopædia, to be presented to George Poindexter, late Governor of this State," I have ordered the same to be purchased; and so soon as I shall have received it, I will, without delay, carry into effect, the intention of the Legislature.

The annual Report of the Auditor of Public Accounts, will disclose to you the condition of the Revenue, and the expenditures of the past year. As, but few of the Assessors and Collectors for the year 1822, have returned their lists of taxable property, to the Auditor of Public Accounts, it is impossible to form an estimate of the public revenue for the year past; and, on the first day of November, it being the commencement of the fiscal year, there was no money in the Treasury. But, it is believed, that payments to a considerable amount, will be made by the first day of January next.

By an act of the last session of the General Assembly, it was made the duty of the Collectors of the Revenue, "to pay the monies by them collected, of taxes in this State, on or before the first Monday in November, in each year." But this law has been so recently promulgated, that it is presumed, but few Collectors were apprized of its contents; hence, in all probability, has it been owing, that such a small portion of the Revenue has been paid into the Treasury. There is yet due from Collectors, for several years preceding the last, a considerable sum; to enforce the payment of which, the Auditor of Public Accounts has, in some instances, directed legal proceedings to be

taken in the Circuit Courts of the several counties, in which the defaulting Collectors respectively reside. But, it is questionable, whether a considerable portion of this sum, will not be entirely lost to the State, by the failure of the Collectors as well as of their securities.

In order to secure more promptitude in collecting and paying the Revenue into the Treasury of the State, I would respectfully submit to the consideration of the General Assembly, whether it would not be proper to increase the commissions for collection, to all Collectors who would pay their collections into the Treasury on or before the first Monday of November in each year; and to diminish the commissions on all monies not paid in by that time; and to diminish still more, from the commissions on all monies not paid into the Treasury until after the first day of January following. Experience has proved in some of our sister States, the utility of something like this course. Collectors have frequently, even before they have finished their collections, been induced to make advances out of their own funds, in order to obtain the highest commissions. It is believed, that this course would much diminish the loss frequently sustained by the State, in consequence of the failure of Collectors. Men are often tempted to believe that it would be more to their own interest, to apply money in their hands belonging to others, to their own purposes, than to pay it where it properly belongs; calculating that the use of money to them, would be more than equal to the amount of their commissions for collection;—that they would obtain some indulgence from the State, and still be entitled to their full commissions for collecting; and that the profit arising from the use of the money, would be nett gain. In some instances, no doubt, such calculations have been fully realized;

but in other instances, owing to some untoward circumstance, or, unforeseen accident, they find themselves mistaken, and one pressure begetting another, until at length, they entirely fail; and their securities, being their friends or connections, are sometimes involved in the same ruin; and when they are not, the great reluctance which creditors feel in paying the debts of their principals, frequently induces them to make any sacrifice in their power, however dishonorable, to secure themselves from such payments.

The contingent expenses of the Executive Department, from the first day of January 1831, up to the present time, amount to \$118 22½, leaving a surplus of the appropriation for that object, of \$318 77½, which will be transferred to the general account of the Treasury; an account of which will be transmitted to the General Assembly in a short time. It is to be presumed, that application will be renewed to Congress, during their present session, by some of the older States in the Union, "in relation to an appropriation of a portion of the public lands of the United States, as a mean of creating a fund for promoting education; and to the right of the several States of the Union, to a part of the same for that purpose." I would, therefore, respectfully suggest to the General Assembly, the propriety of meeting this application, by a remonstrance against a claim so replete with inequality and injustice.

Having submitted my views on this important subject, in my Message to the General Assembly in June last, I again refer you to that Message, together with the Documents accompanying the same, for your further information in relation thereto.

FELLOW-CITIZENS,

Before I close this communication, permit

me to congratulate you on your first meeting at the place determined on as the permanent Seat of our Government; where, *for the first time*, your deliberations may be conducted in a house, the property of the State, and erected exclusively for the purpose of legislation; and also, on the prospect of comfortable accommodations at a place where so little could have been reasonably expected. I am fully persuaded, that if your accommodations will not be equal to the wishes of those who provide them, they will at least exceed the expectations of those who partake of them. When we reflect, that this town was, but a short time since, entirely in the woods, in the midst of a wilderness, the former abode of untutored savages, who draw a scanty support from the beasts of the forest, and not by agricultural pursuits, that but little more than six months have passed by, since the town of Jackson was laid off;—that but few persons have as yet been authorized to occupy Lots therein;—the great distance it lies from whence all necessary supplies are to be transported, through a country too, where no persons reside to keep the Roads in repair:—and above all, when we view the number, dimensions, and style of the buildings erected in the town of Jackson, we cannot but admire the enterprize, industry and perseverance of its citizens; and at the same time feel disposed to extend to them every reasonable indulgence which their situation may seem to merit.

With a sincere desire, fellow-citizens, that a spirit of harmony may characterize your deliberations, and that public business may be dispatched as early as its importance will admit; I tender you the assurance of my cordial co-

operation in all the measures calculated to promote the public interest.

WALTER LEAKE.

Jackson, December 24th, 1822.

Which being read,

Mr. Burton moved, that the said communication be referred to a committee of the whole House, and made an order of the day for this day.

Mr. Runnels moved to amend the said motion, by striking out the words *to-day*, and inserting *Thursday next*.

And the question being put,

It was determined in the negative.

The question then recurred upon the motion as made by Mr. Burton;

An the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The House forthwith resolved itself into a committee of the whole House on the communication from the Governor;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Gordon reported that the committee had had the said communication under consideration, and had adopted sundry Orders and Resolutions, in relation thereto—

Which were handed in at the Clerk's table, and concurred in by the House, and are as follows, viz:

1st. Ordered, That so much of the Governor's Message as refers to the subject of the Revised Code, be referred to a committee of nine members, and Messrs. Burton, Burnet, Metcalfe, Cage, Dickson, Hurst, Runnels, Davidson and Smith were appointed.

2. *Resolved*, That so much of the Governor's Message as relates to the propriety of a remonstrance to Congress against an appropriation of a portion of the lands of the United States to the purpose of creating a fund for Education, be referred to a select committee.

And Messrs. Metcalfe, Cage and Dickson were appointed.

3. Ordered, That so much of the Governor's Message as relates to the Public Revenue, be referred to the committee of Ways and Means.

4. *Resolved*, That so much of the Governor's communication as refers to the printing the Revised Code, be referred to a select committee.

And Messrs. Dougherty, Liddell, Davidson, Cooper and Metcalfe were appointed.

5. *Resolved*, That so much of the Governor's Message, as refers to a loan from the Bank of the State, be referred to the committee of Ways and Means.

Mr. Fox submitted the following Resolution, viz:

Resolved, That ——— copies of the Governor's communication to both Houses of the General Assembly, be printed for the use of the members.

And the question upon its adoption being taken,

It was resolved in the affirmative.

Mr. Cleveland moved to fill the blank with the words *two hundred*.

And the question thereon being taken,

It was resolved in the affirmative.

On motion of Mr. Dougherty,

Resolved, That so much of the Governor's Message as relates to the town of Jackson, be referred to a select committee;

And Messrs. Dougherty, Selcer, Fox, Burnet and Hurst, were appointed.

Mr. Runnels gave notice, that on Monday next, he will ask leave to bring in a bill to repeal an act, entitled "An act, to establish a Literary Fund, and for the encouragement and support of Education in this State," and the appropriation of the moneys collected under said act.

Mr. Runnels moved that when this House adjourn, it will adjourn to meet at 10 o'clock on Thursday next;

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Metcalfe called for the order of the day on the Resolution submitted by him on this day, for the appointment of a committee to be called the committee on the Judiciary, which was again read,

And the question thereon being taken,

It was resolved in the affirmative.

And Messrs. Metcalfe, Burton, Cage, Dickson, Cleveland, Gibson and Liddell, were appointed.

Mr. Gordon gave notice, that on Friday next, he will ask leave to bring in a bill to be entitled, "An act, to demise and lease Public School tracts, and to erect and establish County Scholastic Academies, for the general and equal diffusion of learning throughout the State, and for other purposes therein mentioned.

Mr. Speaker, in obedience to a Resolution, and according to the Rules of the House, appointed the Standing Committees, which are as follows, viz: —

Of Elections.—Messrs. Runnels, Ard, Graves, Robinson, and Davidson.

Of Ways and Means.—Messrs. Burnet, Metcalfe, Williams, Hurst and Fox.

Of Claims.—Messrs. Burton, Gibson, Selser, Lang and Jones.

Of Revisal and unfinished Business.—Messrs. Dickson, Smith, Liddell, McLeod and Cooper.

Of Accounts.—Messrs. Liddell, Cleveland, Snodgrass, Davis and Reese.

Of Propositions and Grievances —Messrs. Gordon, Hurst, Gibson, Metcalfe and Reed.

Of Enrolled Bills.—Messrs. Cage, Dougherty and Snodgrass.

And then the House adjourned 'till 10 o'clock on Thursday morning next.

THURSDAY, 26TH DECEMBER, 1822.

The House met pursuant to adjournment.

Mr. Metcalfe presented the petition of James Smith, adjutant-general of the State, praying that compensation may be ordered to be paid for an office by him used, which was read and referred to the committee of Propositions and Grievances.

Mr. Metcalfe also presented the petition of Woodson Wren, clerk of the County Court of Adams, praying a law may pass to authorize him to keep his office in a fire proof brick building in Natchez, therein named, which was read and referred to the same committee.

Mr. Cleveland presented the petition of Susanna Jones and Floyd Williams; which was referred to a select committee.

And Messrs. Cleveland, Lang and McLeod were appointed.

Mr. Burton, from the select committee appointed on so much of the Governor's Message as relates to the Revised Code, reported in part, a Bill, entitled "An act, supplementary to an act, entitled "An act, declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;" which was read the first time.

On motion of Mr. Runnels,

A constitutional majority concurring, the Rule was dispensed with, and the said Bill was read a second time forthwith.

On motion of Mr. Burton,

Ordered, That the said Bill be engrossed, and made the order of the day for its third reading for this day.

On motion of Mr. Gibson,

Resolved, That a committee be appointed to inquire if any, and if any, what amendments are necessary to be made to the *Militia* law, with leave to report to this House by Bill or otherwise;

And Messrs. Gibson, Burton, Dickson, Fox and Burnet, were appointed.

A Message from the Senate, by Mr. Willis, their Secretary.

MR. SPEAKER,

The Senate on their part, have appointed the following joint committees, to act with such persons as may be appointed on the part of the House of Representatives.

On the joint committee of Claims, Messrs. Brown, Barry and Regan.

On the joint committee of Accounts; Messrs. Anderson, Norton and McKay.

On the joint committee of Enrolled Bills; Mr. Scott.

And then he withdrew.

On motion of Mr. Runnels,

Ordered, That Mr. Cleveland be added to the committee appointed on so much of the Governor's Message, as relates to the Revised Code.

Mr. Cage submitted the following Resolution, viz:

Resolved, That with the concurrence of the Senate, the President thereof, and the Speaker of this House, be authorized to employ some fit person, to carry a Mail from this place to the Choctaw Agent's, twice a week, during the present Session of the Legislature, to leave here upon such days and times, as the said President and Speaker may agree upon.

Which was read and ordered to lie on the table.

Mr. Burnet, from the select committee, appointed to inquire what Furniture may be necessary for the accommodation of the House of Representatives, made the following Report:—

That they are of opinion that there might be procured a Desk for the Speaker, and a small Table with a drawer for each member of this House. Your committee have also been informed that the Desk and ten Tables can be contracted for, to be made by the meeting of the House on Monday morning next, but from the resolve referred to them, they had doubts whether they were authorized to enter into the contract, therefore offer the following Resolution:

Resolved, That the above committee be instructed to em-

ploy a fit person to make a Desk and Tables, and prescribe the size thereof, for the use of this House.

In which the House concurred.

Mr. Metcalfe gave notice, that on to-morrow he will ask leave to bring in a Bill to establish an Inferior Court of Criminal Jurisdiction for the county of Adams.

Also, on the same day, he will move to introduce a Bill, to regulate proceedings at Law and in Chancery.

Mr. Williams gave notice, that on Tuesday next, he shall ask of this House for leave to introduce a Bill, entitled "An act, to amend an act, entitled "An act, concerning the establishment, jurisdiction, and powers of the Inferior Courts of Law, in the several counties of this State."

The engrossed Bill, entitled "An act, supplementary to an act, declaring what Laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;" was read the third time and passed.

Resolved, That the title thereof be as above stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

On motion of Mr. Burton,

Resolved, That when this House adjourn, it will adjourn to meet on to-morrow, at 10 o'clock.

Mr. Dougherty, from the select committee to whom was referred so much of the Governor's Message as relates to the town of Jackson, reported a Bill, to amend and alter an act, entitled "An act, to appoint commissioners to locate the lands given by the United States to this State, for a Seat of Government;" which was read the first time: and with leave of the House,

The Rule was dispensed with, and the said Bill was read a second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

On motion of Mr. Burnet,

Resolved, That a committee be appointed to inquire if any, and what amendments are necessary to be made to the act, entitled "An act, to reduce into one the several acts, regulating Inns, Taverns, and Houses of Private Entertainment, and to restrain Tippling Houses;" with leave to report by Bill or otherwise.

And Messrs. Runnels, Snodgrass and Williams, were appointed.

And then the House adjourned.

FRIDAY, 27TH DECEMBER, 1822.

The House met pursuant to adjournment.

Mr. Smith presented the petition of James B. Tucker and others; which was read and referred to the committee of Propositions and Grievances.

Mr. Snodgrass presented a petition from the Baptist Union Association, at Sarepta Meeting House; which was read and referred to a select committee;

And Messrs. Smith, Snodgrass, Dougherty, Selser and Cleveland, were appointed.

Mr. Gordon, from the committee of Propositions and Grievances, to whom was referred the petition of Woodson Wren, reported, "that the prayer of the petitioner is unreasonable and should not be granted."

Mr. Gordon, from the same committee, to whom was referred the petition of James Smith, adjutant-general, reported the following Resolution, viz:

Resolved, That the petition of the said James Smith is reasonable, and ought to be granted—and further beg leave to report a Bill in his favor, entitled "An act, for the benefit of James Smith, adjutant-general of this state;" which was read the first time.

On motion of Mr. Burton,

Ordered, That the Judicial committee be instructed to inquire into the expediency, and if expedient, to report a Bill to repeal an act, entitled "An act, to establish a Court of Chancery in this State, and to prescribe the rules of proceeding therein," and to vest the jurisdiction of said Courts of Chancery in the several Circuit Courts within the State:

On motion of Mr. Cage,

Resolved, That the standing hour of adjournment of this House be 10 o'clock in the morning, unless otherwise ordered.

On motion of Mr. Burnet,

Ordered, That the committee of the whole House be discharged from the further consideration of the Bill, entitled "An act, to amend and alter an act, entitled an act, to appoint Commissioners to locate the lands given by the United States to this State for a Seat of Government;" and that the said Bill be recommitted to the committee who reported it.

Mr. Burton gave notice, that on to-morrow he will ask leave to bring in a Bill, to be entitled "An act, allowing the Secretary of State a perquisite of office."

Mr. Gibson gave notice, that he shall on Wednesday next,

ask leave to bring in a Bill to be entitled "An act, to amend an act, entitled an act, establishing the fees of certain officers therein named;" passed the 29th June, 1822.

Mr. Gordon, according to notice given, asked for and obtained leave to bring in a bill, entitled "An act to demise and lease the public School tracts, and to erect and establish County Classic Academies, for the general and equal diffusion of learning throughout the State, and other purposes therein mentioned," which was read the first time.

On motion of Mr. Gordon,

Ordered, That the said Bill be read a second time on Thursday next.

Mr. Smith gave notice, that he will on Tuesday next, ask for leave to bring in a Bill, to repeal the 3d, 6th and 7th sections of an act, entitled "An act, to suppress Duelling."

Mr. Burton gave notice, that he will on to-morrow, ask leave to introduce a Bill, to repeal the 17th section of "An act, concerning Highways, ferries and bridges."

On motion of Mr. Metcalfe,

Resolved, That a select committee be appointed to inquire into the state of the law relating to the Natchez Hospital, and whether any better provision can be made for the support thereof, with leave to report by bill or otherwise;"

And Messrs. Metcalfe, Dougherty and Snodgrass were appointed.

Mr. Gibson gave notice, that he shall on to-morrow, ask leave to bring in a Bill to change the name of Crittington Crumpton to that of Crittington Clark, and for other purposes.

Mr. Metcalfe, according to notice given, asked for and obtained leave, to bring in a Bill entitled, "An act, to establish an Inferior Court of Criminal Jurisdiction for the county of Adams;" which was read the first time.

On motion of Mr. Metcalfe,

Ordered, That the said Bill be read the second time on to-morrow.

A Message from the Senate, by Mr. Willis, their Secretary.

MR. SPEAKER,

The Senate have passed the Bill from the House of Representatives, entitled "An act, supplementary to an act, entitled "An act, declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;" with some amendments thereto;

In which amendments they desire the concurrence of the House of Representatives.

And then he withdrew.

Two several Messages, with accompanying documents from the Governor in writing, by Mr. Patrick, his private secretary, viz:

JACKSON, Dec. the 27th, 1822.

I herewith transmit to the General Assembly, a list of resignations and Executive appointments, during the recess of the General Assembly.

I have the honor to be, very respectfully,

Your obedient servant,

WALTER LEAKE.

Appointments by the Governor, during the recess of the General Assembly.

1822.

August 4th—*Richard Stockton*, Judge of the first Judicial District; *Bela Metcalfe*, resigned.

“ *Walter M. Denny*, District Attorney, first Judicial District.

Nov. 28—*Hiram G. Runnels*, Auditor of Public Accounts; former commission expired.

Amite county: Nov. 6.—*John Phillips*, Judge of Probate; *Charles Davis*, resigned.

“ “ “ *David Lee*, Associate Justice of county Court; *Angus Wilkinson*, resigned.

Franklin county: Aug. 30—*John Cameron*, Judge of Probate; *Elijah W. Browne*, resigned.

Hinds county: Sept. 20.—*Robert H. Bell*, Associate Justice of County Court; *Robert Walton*, non-resident.

VACANCIES.

Covington county: Nov. 17th—*John McGuffie*, Associate Justice, resigned.

Marion county—*John H. Norton*, Associate Justice: not accepted.

Pike county: Dec. 23d—*David Cleveland*, Judge of Probate, resigned.

Secretary of State's Office,
Jackson, 27th Dec. 1822. }

His Excellency, WALTER LEAKE.

I have the honor to lay before your Excellency, a list of the appointments made during the recess of the General Assembly.

Respectfully submitted,

JOHN A. GRIMBALL, *Secretary of State.*

In addition to the above list, John Jenkins, Associate Justice of the County Court of Warren county resigned, and Ja-

Job Hyland recommended by the other Justices of the County Court, but no commission has issued.

WALTER LEAKE.

JACKSON, Dec. the 27th, 1822.

I herewith transmit to the House of Representatives, a statement of the disbursements of the Contingent Fund, for the year, 1821, as made by George Poindexter, late Governor of the State of Mississippi.

I have the honor to be, very respectfully, your obedient servant,
WALTER LEAKE.

Which were read.

Mr. Snodgrass moved that the same lie on the table.

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Burnet,

Ordered, That the documents accompanying the Governor's last communication, be referred to the committee of accounts.

The House proceeded to consider the amendment made by the Senate to the Bill, entitled "An act, supplementary to an act, entitled an act, declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;"

Which being read,

Mr. Burton moved that this House disagree to the amendment;

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cage laid before the House the annual report of the Auditor of Public Accounts, which, with the accompanying Documents, were read, and ordered to lie on the table.

On motion of Mr. Burton,

Resolved, With the concurrence of the Senate, that both Houses of the General Assembly, meet in the Representative Hall, at the hour of 12 o'clock on to-morrow, and proceed to the election of a Judge of Probates, to fill the vacancy occasioned by the resignation of Charles Davis, Esquire, in the county of Amite; and David Cleveland in the county of Pike.

Ordered, That the Clerk desire the concurrence of the Senate therein.

On motion of Mr. Burton,

Resolved, That ——— copies of the Auditor's Report and

accompanying documents be printed for the use of the members of this House.

On motion of Mr. Burton,

Ordered, That the blank in said Resolution, be filled up with the words, *one hundred and fifty*.

And then the House adjourned.

SATURDAY, 28TH DECEMBER, 1822.

The House met pursuant to adjournment.

A Message from the Senate, by Mr. Willis, their Secretary.

MR. SPEAKER,

The Senate have adopted the following Resolution, in which they desire the concurrence of the House of Representatives, viz:

Resolved, With the concurrence of the House of Representatives, that the committees appointed on the part of either House to take into consideration so much of the Governor's Message as relates to the Revised Code, be consolidated and form a joint committee.

The committee on the part of the Senate are, Messrs. Barry, Anderson and Norton;

And then he withdrew.

On motion of Mr. Burton,

Resolved, That this House concur in the Report from the committee of Propositions and Grievances, upon the petition of Woodson Wren, made on yesterday

The Bill, entitled "An act, for the benefit of James Smith, adjutant-general of this State, was read the second time.

On motion of Mr. Cleveland,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for this day.

The Bill, entitled "An act, to establish an Inferior Court of Criminal Jurisdiction for the county of Adams;" was read the second time.

On motion of Mr. Metcalfe,

Ordered, that the said Bill be referred to a committee of the whole House, and made the order of the day for Monday next.

Mr. Burton moved, that the Governor's Message and accompanying documents, communicated to this House, in rela-

tion to the vacancies and appointments which have occurred in the recess of the Legislature, lie on the table.

And the question thereon being taken;

It was resolved in the affirmative.

The House, according to the order of the day, resolved itself into a committee of the whole House on the Bill, entitled "An act, for the benefit of James Smith, adjutant-general of this State;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Burnet reported, that the committee had had the said Bill under consideration, and had made sundry amendments thereto, which were handed in at the Clerk's table.

On motion of Mr. Cleveland,

Resolved, That the House receive and agree to the said amendments.

On motion of Mr. Jones,

Ordered, That the said Bill be engrossed as amended, and made the order of the day for its third reading on Monday next.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, entitled "An act, for the relief of certain persons therein named;" with an amendment thereto, by way of rider;

In which Bill and amendment, they desire the concurrence of the House of Representatives.

They have receded from their amendment to the Bill from the House of Representatives, entitled "An act, supplementary to an act, entitled "An act declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;"

And then he withdrew.

The Bill from the Senate, entitled "An act, for the relief of certain persons therein named;" was read the first time:

And with leave of the House, a constitutional majority concurring, the said Bill was read the second time forthwith.

On motion of Mr. Burnet,

Ordered, That the said Bill be referred to a select committee, appointed on so much of the Governor's Message as relates to the town of Jackson.

On motion of Mr. Burton,

Resolved. With the concurrence of the Senate, that a committee be appointed, to act jointly with the committee which

have or may be appointed by the Senate, on the subject of "Highways, Ferries and Bridges;"

And Messrs. Burton, Burnet, Snodgrass, Liddell, Runnels, Williams and Jones were appointed.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Reed gave notice, that on Monday next he will ask for leave to introduce a Bill, for the division of Covington county, and forming a new county out of the same.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have concurred in the Resolution from the House of Representatives, to go into an election of Judges of Probate for Amite and Pike counties, with some amendments thereto;

In which they desire the concurrence of the House of Representatives.

And then he withdrew.

On motion,

Resolved, That this House concur in the amendments made by the Senate to the Resolution, to go into the election of Judges of Probate, for the counties of Amite and Pike.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Metcalfe,

Resolved, That the Judiciary committee be instructed to inquire what amendments, if any, are necessary to be made to the laws relating to clerks, sheriffs, executions, insolvent debtors, crimes and misdemeanors, slaves and other colored people, limitations of actions; and to inquire what laws, if any, which have been repealed, ought to be revived, with leave to report by bill or otherwise.

Ordered, That the Clerk inform the Senate that this House is now ready to receive them in the Representative Chamber, for the purpose of going into an election of certain officers, in pursuance of a joint Resolution of the two Houses.

The Clerk having performed that service, the Senate came into the Representative Chamber, and took the seats assigned to them, and the two Houses proceeded in the said election.

The votes were as follows:—

For *Peter Quin*, junior, for Judge of Probates, for Pike county.

SENATORS.

Mr. Anderson,

Mr. Regan,

Barry,
Brown,
McKay,
Norton,

Sessions,
Scott,
Spencer—9.

REPRESENTATIVES.

Mr. Speaker,
Ard,
Burnet,
Burton,
Cleveland,
Cooper,
Cage,
Dougherty,
Dickson,
Davidson,
Fox,
Gibson,
Gordon,
Graves,

Mr. Hurst,
Jones,
Liddell,
Lang,
Metcalf,
McLeod,
Runnels,
Reese,
Reed,
Robinson,
Smith,
Selser,
Snodgrass,
Williams—28.

37

Whereupon—

The President announced to the two Houses that Peter Quin, junior, was constitutionally elected Judge of Probate for the county of Pike.

For Judge of Probate for the county of Amite, the votes were as follows, viz:—For *John Phillips*;

SENATORS.

Mr. Anderson, 1
Barry,
McKay,

Mr. Norton,
Regan,
Spencer—6.

REPRESENTATIVES.

Mr. Burnet,
Burton,
Cleveland,
Cage,
Dougherty,
Davidson,
Fox,
Gibson,
Gordon,

Mr. Jones,
Liddell,
Lang,
Metcalf,
McLeod,
Reese,
Robinson,
Smith,
Selser,

Graves
Hurst,

Snodgrass,
Williams,—22.

28.

For *John M. Clark*, for same office.

SENATORS.

Mr. Barry,
Sessions,

Mr. Scott,—3.

REPRESENTATIVES.

Mr. Speaker,
Ard,
Cooper,

Mr. Dickson,
Runnels,
Reed,—6.

Whereupon—

The President of the Senate announced to the two Houses that John Phillips was constitutionally elected Judge of Probate for the county of Amite.

For Associate Justice, for Amite county, viz:—For *David Lee*:—

SENATORS.

Mr. Anderson,
Barry,
McKay,
Norton,

Mr. Regan,
Sessions,
Scott,
Spencer—8.

REPRESENTATIVES.

Mr. Speaker,
Ard,
Burnet,
Cooper,
Cage,
Dougherty,
Gordon,
Hurst,
Jones,

Mr. Metcalfe,
McLeod,
Runnels,
Reese,
Reed,
Robinson,
Selser,
Snodgrass,—17.

25.

For *David Davis*, for same office.

SENATOR,.....Mr. Brown.....1.

! REPRESENTATIVES.

Mr. Burton,
Cleveland,
Dickson,
Davidson,
Fox,
Gibson,

Mr. Graves,
Liddell,
Lang,
Selser,
Williams,—11.

12.

Whereupon—

The President of the Senate announced to the two Houses, that David Lee was constitutionally elected Associate Justice for the county of Amite.

And then the Senate withdrew.

Mr. Gibson, according to notice given, asked for and obtained leave to bring in a Bill, "to change the name of Crittington Crumpton, and for other purposes;" which was read the first time;

And with leave of the House, the said Bill was read the second time forthwith.

On motion of Mr. Gibson,

Ordered, That the said Bill be referred to a select committee;

And Messrs. Gibson, Metcalfe and Gordon, were appointed.

On motion of Mr. Burton,

Ordered, That Messrs. Runnels and Smith be added to the Judicial committee.

- On motion of Mr. Fox,

Resolved, That his Excellency, Walter Leake, be requested to cause to be laid before this House, such information as he may possess, relative to the improving and opening the navigation of the Big Black and Pearl rivers, and what contingent sum now remains, if any, of said appropriations

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have concurred in the Resolution from the House of Representatives, on the subject of Highways, Ferries and Bridges, with an amendment thereto;

In which amendment they desire the concurrence of the House of Representatives.

The committee which has been appointed on that subject

by the Senate, are Messrs. Anderson, Regan and Spencer; 3
And then he withdrew.

The House proceeded to consider the said amendment made by the Senate to the last above mentioned Resolution, which was read and concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

Mr Burnet moved for the adoption of the following Resolution, viz;

Resolved, That his Excellency, the Governor, be requested to cause to be reported to this House, the amount of moneys now in the Treasury of the State, and the amount due and not paid in for the current year; the various sources from which moneys have been received, and are receivable into the Treasury from the different counties severally, if practicable; the sums received and receivable from the respective sources of revenue.

Also, that he cause to be reported, the amounts of moneys which have been received into the Treasury, for the use and benefit of the Literary fund, and the amount due and not paid into the Treasury from the regular and permanent sources of revenue to that fund; and the various objects of ordinary and regular expenditures, and the amount to be expended on such objects respectively;

And the question thereon being taken,

It was resolved in the affirmative.

On motion of Mr. Smith,

Ordered, That Mr. Williams be added to the Militia committee.

And then the House adjourned 'till ten o'clock on Monday morning next.

MONDAY, 30TH DECEMBER, 1822.

The House met pursuant to adjournment.

Mr. Davidson presented a petition from sundry citizens of Pike county, praying an additional Election District may be granted to them; which was read and referred to a select committee;

And Messrs. Davidson, Burton and Graves, were appointed.

Mr. Graves presented a petition from sundry citizens of Amite county, praying that an additional Election District may be granted to them;

Which was read and referred to the same committee.

Mr. Hinds, a member from the county of Jefferson, appeared, produced his credentials, and took his seat.

Mr. Smith presented petitions from Hiram Coffee and Lewis Whitesides;

Which were read and referred to the committee of Propositions and Grievances.

Mr. Metcalfe presented the petition of Jacques Andres praying the emancipation of a child named *Maria Louisa*, which, with the accompanying documents, were read and referred to the same last named committee.

Mr. Cage, from the joint committee on enrolled Bills, reported that the committee had examined the Enrolled Bill, entitled "An act, supplementary to an act, entitled an act declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;" and found the same truly enrolled.

Whereupon—

Mr. Speaker signed the same.

Ordered, That the Clerk carry the said Bill to the Senate, for the signature of the President of the Senate.

Mr. Metcalfe, from the select committee appointed to inquire into the state of the laws relating to the Natchez Hospital, and whether any better provision can be made for the support thereof; reported, that they have given to the subject the consideration which its merits and their time have permitted, and beg leave to make the following *Report*:—

That said Hospital was established by an act of the Legislature of the Mississippi Territory in the year 1805, but no source of Revenue, permanent or contingent for its support was then provided. That the said institution has depended on charitable donations for its maintenance, and has frequently been compelled to close its doors for the want of means to carry on its operations:—

That by several subsequent acts of the Legislature, the means of receiving a precarious and contingent revenue were provided. An act, giving to said Hospital the taxes to be collected on licenses granted to Billiard Tables in Adams county, and from which, although contingent, the greatest portion of its revenue was derived, was, as your committee believe, inadvertently and unintentionally repealed by an act, prescribing the mode of ascertaining and assessing the taxable property within the State, and for collecting the Public Revenue

That by an act of the General Assembly, passed at the November Session, in 1821, the annual sum of five hundred

dollars was granted to the said Hospital, out of the Treasury of Adams county, and that the last mentioned sum is the only certain source of revenue on which the Institution now depends. Your committee believe, that great and praise-worthy exertions have been made by the President and Trustees of said Hospital, and many of the citizens of Natchez and its vicinity, to provide relief for poor sick strangers, and that they have accomplished much with small means. but to make their operations as extensively useful as humanity requires; other sources of revenue of a more permanent nature ought, if practicable, to be provided; and in order, therefore, to carry into effect the benevolent designs of the founders of that humane institution, they beg leave to recommend that a law may pass, and to that end they report a Bill, giving to the said President and Trustees all the moneys to be collected in said county of Adams, from the licensing of billiard tables, to take effect from the 6th of June last, at which time the repealing law was enacted; also, laying taxes on all Boats or vessels of a certain burthen descending the Mississippi from beyond the limits of the State, in order that those for whose benefit said Hospital was principally instituted, may be made to contribute to its support: But as the General Assembly has not the power to levy such taxes, without the consent of Congress, your committee beg leave to report a memorial, praying the Congress of the United States, to sanction said law; and in case they should not think it proper to give their consent, praying them to grant to said President and Trustees in perpetuity a portion of the Public Lands within the limits of this State, to be held for the sole and exclusive use and benefit of poor sick strangers, with a Resolution requesting his Excellency, the Governor, to transmit copies of the said memorial and the four first sections of the act, to each of our Senators, and to our Representative in Congress, desiring them to use their exertions to procure from Congress the object of the memorial.

The Bill in the above Report mentioned, entitled "An act, making appropriation for the Natchez Hospital;" and the said Resolution and Memorial were read the first time.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Resolution to go into certain Elections therein named;

In which Resolution they desire the concurrence of the House of Representatives.

And then he withdrew.

The House proceeded to consider the Resolution from the Senate, to go into certain Elections therein mentioned; which being read;

Mr. Burnet moved, that the same lie on the table till tomorrow.

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Runnels, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act, to repeal a certain act and parts of acts therein named, and for other purposes;" which was read the first time.

Mr. Speaker laid before the House a Report from the commissioners appointed to lay off the town of Jackson, and for the erecting of a temporary State House therein, which was read, and is as follows:

JACKSON, 20th December, 1822.

THE Undersigned, Commissioners, appointed by an Act of the General Assembly, entitled "An act, to amend an act, entitled An act, to appoint Commissioners to locate the Lands given by the United States to this State, for a Seat of Government:" and under the directions of an act, further to amend the above recited Act; passed the 30th June, 1821; Beg leave to make the following *Report*, in part—

That they have advertised, in three of the Newspapers, printed within the State; One Hundred Lots in the town of Jackson, the Seat of Government, for public sale, to commence on the first day of January next.

They have filed in the Office of Secretary of State, one copy of the plan of the Town of Jackson:—And, also, one copy of said plan of the Town, with the Register of the Orphans' Court of Hinds county; duly certified and signed, to be recorded as directed by the last above recited act. Receipts from those officers, respectively, are herewith filed.

The Undersigned will be able, during the present Session of the General Assembly, to lay before the Legislature, an account of disbursements made, in the laying off said Town, and erecting the temporary State House, now in use by the Legislature, shewing the balance, if any, of the five thousand dollars, appropriated for those objects.

All which are respectfully submitted.

THO: HINDS,
P. A: VANDORN.

JACKSON, 30th Dec. 1822.

Received of Thomas Hinds and P. A. Vandorn, Commis

soners, appointed with William Lattimore, to locate the lands given by the United States to this State, for a Seat of Government, and lay off a town thereon, a plan of said Town, called Jackson, which I will forthwith record in my office of Register of the Orphans Court of Hinds county.

SAMUEL M. PUCKETT,

Judge of Probate, H. C.

JACKSON, 30th Dec. 1822.

Received from the Commissioners, appointed in relation to the town of Jackson, as to laying off the same, and erecting the temporary State House, one copy of the plan of said Town, certified and signed by Thomas Hinds and Peter A. Vandorn.

JOHN A. GRIMBALL,

Secretary of State.

On motion of Mr. Burnet,

Ordered, That the said Report, with the accompanying documents, lie on the table.

Mr. Metcalfe, from the committee instructed to inquire into the expediency, and if expedient, to repeal an act, entitled "An act, to establish a Court of Chancery in this State, and prescribe the rules of proceeding therein, and to vest the jurisdiction of the said Court of Chancery in the several Circuit Courts of this State;" have had the subject under consideration, and beg leave to make the following Report:—

Resolved, That it would be inexpedient to repeal the act, entitled "An act, to establish a Court of Chancery in this State, and to prescribe the rules of proceeding therein."

On motion of Mr. Burton,

Ordered, That the said Report lie on the table.

Mr. Gibson, from the select committee to whom was referred the Bill to change the name of Crittington Crumpton, and for other purposes, reported a Bill, to be entitled "An act, to change the name of Crittington Crumpton," which was read the first time, and with leave of the House,

The said Bill was read the second time forthwith.

On motion of Mr. Gibson,

Ordered, That the said Bill be engrossed, and made the order of the day for its third reading to-morrow.

Mr. Metcalfe, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act, to regulate proceedings in suits at law, and in Chancery;" which was read the first time.

Mr. Jesse Guice, a member from Franklin county, appeared, produced his credentials, and took his seat.

Mr. Dougherty, from the select committee appointed on so much of the Governor's Message as relates to the town of Jackson, to whom was re-committed the Bill from the Senate entitled "An act, for the relief of certain persons therein named," reported a Bill, entitled "An act, to alter and amend an act, entitled "An act, to appoint commissioners to locate the lands given by the United States to this State, for a seat of government, and for other purposes;" which was read the first time, and with leave of the House, a constitutional majority concurring,

The said Bill was read the second time forthwith.

Mr. Hinds moved, that when this House adjourn, it will adjourn, to meet at 3 o'clock, P. M.

And the question thereon being taken,

It was resolved in the affirmative.

On motion of Mr. Fox,

Ordered, That Mr. Hinds be added to the Militia committee.

And then the House adjourned.

THREE O'CLOCK, P. M.

On motion of Mr. Smith,

The House forthwith resolved itself into a committee of the whole House, on the Bill "to alter and amend an act, entitled an act, to appoint commissioners to locate the lands given by the United States to this State for a Seat of Government, and for other purposes;"

And after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. Burton reported, that the committee had had the said Bill under consideration, and had made sundry amendments thereto, which were handed in at the Clerk's table, and severally read.

On motion of Mr. Burnet, and with leave of the mover,

The new section added to the said Bill was amended at the Clerk's table, and

On motion of Mr. Runnels,

Resolved, That the House receive and agree to the said Report.

On motion of Mr. Hinds,

Ordered, That said Bill be engrossed as amended, and made the order of the day for its third reading on to-morrow.

On motion of Mr. Cage,
Resolved, That the Clerk of this House be directed to have printed as soon as practicable, for the use of this House — copies of a Bill now before the House, entitled "An act, to regulate proceedings in suits at Law and in Chancery," and that the Clerk require of the printer to number every line contained in said Bill.

On motion of Mr. Burton,
 Ordered, That the blank in said Resolution be filled with the word, *fifty*.

Mr. Burton moved, that when this House adjourn, it will adjourn till 9 o'clock, to-morrow morning.

And then the House adjourned.

TUESDAY, 31ST DECEMBER, 1822.

The House met pursuant to adjournment.

A Message from the Senate, by Mr. Willis, their Secretary.

MR. SPEAKER,

The Senate have passed a Bill, to be entitled "An act, to establish an additional Election District in the county of Monroe;"

In which Bill they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr. Guice presented the petition of sundry citizens of Franklin county, praying relief in relation to Town Lots in the town of Franklin; which was read and referred to the committee of Propositions and Grievances.

Mr. Cooper presented two petitions from sundry citizens of Franklin and Lawrence counties, praying a new county may be laid off; which were read and referred to a select committee.

And Messrs. Cooper, Runnels, Selser, Guice and Jones, were appointed.

Mr. Dougherty presented the petition of Samuel Martin in relation to a Negro man named John; which was read and referred to a select committee;

And Messrs. Dougherty, Snodgrass and Metcalfe were appointed.

Mr. Cage, from the joint committee on Enrolled Bills, re-

ported, that the committee had presented to his Excellency, the Governor, for his approbation and signature, a Bill, to wit:

"An act, supplementary to an act, entitled "An act, declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof."

Mr. Smith, from the committee to whom was referred the petition of the Baptist Union Association, reported as follows, viz:

That they have had the act, entitled "An act, to reduce into one the several acts concerning Slaves, Free Negroes and Mulattoes," under their consideration, and recommend the following amendments and additions thereto, in a Bill, to be entitled "An act, to alter and amend an act, to reduce into one the several acts, concerning Slaves, Free Negroes, and Mulattoes;" which was read the first time.

The engrossed Bill, entitled "An act, for the benefit of James Smith, adjutant-general of this State;" was read the third time.

Mr. Runnels moved, that the farther consideration of the said Bill be postponed indefinitely;

And the question thereon being taken,

It was resolved in the affirmative, by yeas and nays, called for by Mr. Runnels and two other members.

Those who voted in the affirmative, are:—

Mr. Ard,	Mr. Gibson,
Burton,	Guice,
Cleveland,	Lang,
Cooper,	McLeod,
Dougherty,	Runnels,
Dirkson,	Reese,
Davidson,	Reed,
Fox,	Robinson --17.

Those who voted in the negative, are—

Mr. Burnet,	Mr. Jones,
Cage,	Liddell,
Gordon,	Metcalfe;
Graves,	Smith,
Hurst,	Snodgrass,
Hinds,	Williams.—12.

The engrossed Bill, entitled "An act, to alter and amend an act, entitled "An act, to appoint Commissioners to locate the Lands given by the United States to this State for

Seat of Government, and for other purposes," was read the third time.

Mr. Cage moved, to amend the said Bill, by way of Rider, as follows, viz:

In the seventh section and second line, after the word "State," insert these words "*or a majority of them.*"

And the question thereon being taken,

It was Resolved in the affirmative.

The question then recurred on the passage of the Bill, as amended:

And passed in the affirmative.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk carry the said Bill to the Senate, and desire their concurrence therein.

Mr. Cleveland submitted the following Resolution, viz:

Resolved, That the committee appointed to inquire into the conduct of the Superintendent of Public Buildings, appointed in pursuance of an act, entitled "An act, to amend the act, to appoint Commissioners to locate the Lands given by the United States to this State, for a Seat of Government;" and to report to this House, in what manner he has discharged the duties of that office.

On motion of Mr. Burton,

Ordered, That the same lie on the table.

Abram De France, Superintendent of Public Buildings in the town of Jackson, made to this House, the following Report, viz:

[Report omitted in the Journal.]

Which was read.

On motion of Mr. Burton,

Ordered, That the same lie on the table.

The Bill, entitled "An act, to demise and lease the Public School Tracts, and to erect and establish County Classic Academies, for the equal and general diffusion of Learning throughout the State, and other purposes therein mentioned;" was read a second time.

Mr. Gordon moved, that the said Bill be referred to a select committee of seven members.

And the question thereon being taken,

It was resolved in the affirmative.

And Messrs. Gordon, Burnet, Cage, Runnels, Hurst, Fox and Jones were appointed.

A message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER

The Senate have passed the Bill from the House of Representatives, entitled "An act, to alter and amend an act, en-

titled "An act, to appoint Commissioners to locate the Lands given by the United States to this State for a Seat of Government, and for other purposes;" with an amendment thereto,

In which amendment they desire the concurrence of the House of Representatives.

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to establish an Inferior Court of Criminal Jurisdiction, in and for the county of Adams."

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Burnet reported that the committee had had the said Bill under consideration, made some progress therein, and that he was directed to ask for leave to sit again.

Which was received and agreed to by the House.

The House proceeded to consider the amendment made by the Senate to the Bill, entitled "An act, to alter and amend an act, entitled "An act to appoint commissioners to locate the Land given by the United States to this State, for a seat of Government, and for other purposes "

Which was read and concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Runnels moved that the House adjourn.

And the question being put,

It was determined in the negative.

The Bill, entitled "An act making appropriations for the Natchez Hospital;" was read the second time.

On motion of Mr. Burton,

Ordered, That the said Bill be referred to a committee of the whole House and made the order of the day for to-morrow.

Mr. Smith, according to notice given, asked for and obtained leave to bring in a bill, entitled "An act to repeal the 3d, 6th and 7th sections of an act, entitled "An act, to suppress Duelling," which was read the first time.

The Bill, entitled "An act, to repeal a certain act and parts of acts therein named, and for other purposes," was read the second time.

On motion of Mr. Runnels,

Ordered, that the said Bill lie on the table.

Mr. Hinds moved, that when the House adjourn it will adjourn to meet at 3 o'clock, P. M.

And the question thereon being taken,

It was resolved in the affirmative.

And then the House adjourned.

THREE O'CLOCK, P. M.

Mr. Dougherty moved, that the further consideration of the Bill from the Senate, entitled "An act, for the relief of certain persons therein named," be indefinitely postponed ;

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Williams, according to notice given, asked for, and obtained leave to bring in a Bill, entitled "An act, to extend the jurisdiction and powers of the County Court in and for the County of Monroe ;" which was read the first time.

On motion of Mr. Burnet,

Resolved, That a committee be appointed to inquire into the expediency of amending the act, entitled "An act, to define the boundaries of the several counties of this State ;"

And Messrs. Burnet, Hinds and Gordon were appointed.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have given leave to bring in a Bill, to be entitled "An act, to divide the County of Covington, and form a new County out of the same.

And then he withdrew.

Mr. Burnet called for the farther consideration of the Resolution from the Senate, to go into the election of certain officers therein named.

Mr. Gibson moved, That the farther consideration of said Resolution be postponed 'till Monday next.

And the question thereon being taken,

It was resolved in the affirmative.

On motion of Messrs. Runnels and Gordon,

Ordered, That Messrs. Grice and Hinds be added to the committee of Propositions and Grievances.

On motion of Mr. Metcalfe,

Ordered, That Mr. Hinds be added to the committee of Ways and Means.

Mr. Speaker laid before the House the annual Report of the Treasurer of the State ; which being read,

Mr. Metcalfe moved that the following Resolution be adopted, viz :

Resolved, That the Clerk of this House be directed to have ————copies of the Treasurer's Report printed, for the use of the members.

And the question thereon being taken,

It was resolved in the affirmative.

On motion of Mr. Burnet,

Resolved, That the blank, in the said Resolution, be filled with the words "One hundred and fifty."

On motion of Mr. Metcalfe,

Ordered, That the Auditor's and Treasurer's Report be referred to the committee of Accounts.

Mr. Dougherty moved, That when this House adjourn, it will adjourn to meet at 8 o'clock to-morrow ;

And the question thereon being taken,

It was resolved in the affirmative.

The farther orders of the day were postponed ;

And then the House adjourned.

WEDNESDAY, 1st. JANUARY, 1823.

MR. SPEAKER, having taken the Chair, at the hour of adjournment; and a majority of the members not being present, adjourned the meeting of the House 'till 9 o'clock, A. M.

9 O'CLOCK, A. M.

The House met pursuant to adjournment.

Mr. Cage, from the joint committee on Enrolled Bills, reported, that the committee had examined the following enrolled Bill, to wit : " An act, to alter and amend an act, entitled " An act, to appoint Commissioners to locate the Lands given by the United States to this State, for a Seat of Government, and for other purposes;" and found the same truly enrolled.

Whereupon—

Mr. Speaker signed the same.

Ordered, That the Clerk carry the said Bill to the Senate for the signature of the President thereof.

Mr. Dickson, from the committee on revised and unfinished business, reported a Bill, entitled " An act, to punish champerty, maintenance and embracery," laid over at the last session of the General Assembly ;

Which Bill was read the first time.

Mr. Runnels moved, that the said Bill be rejected.

And the question thereon being taken,

It was determined in the negative.

Ordered, That the said Bill be read the second time to-morrow.

Mr. Davidson, from the select committee, to whom were referred the several petitions from Pike and Amite counties, reported a Bill, entitled "An act, to establish additional election districts in the counties of Amite and Pike;" which was read the first time.

The House again, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to establish an Inferior Court of Criminal Jurisdiction, for the County of Adams;"

And, after some time spent therein, Mr. Speaker resumed the Chair; and,

Mr. Burnet reported, That the committee had had the same under consideration; had made some farther progress therein; and, that he was directed to ask for leave to sit again.

On motion,

Resolved, That this House receive and agree to said report.

Mr. Cage, from the joint committee on Enrolled Bills, reported, that the committee have presented to his Excellency, the Governor, for his approbation and signature, the following Bills, viz:

"An act, to alter and amend an act, entitled "An act, to appoint Commissioners to locate the Lands given by the United States to this State, for a Seat of Government, and for other purposes."

On motion of Mr. Burnet,

Ordered, That Mr. Metcalfe be excused from serving on the committee of Propositions and Grievances.

On motion of Mr. Runnels,

Ordered, That Messrs. Robinson and Cleveland be added to the select committee to whom were referred the two several petitions from Lawrence and Franklin counties, praying that a new county may be laid off.

Mr. Hinds presented the petitions of P. B. Harrison, Harmony Society, and Solomon Whitley, which were read and referred to the committee of Propositions and Grievances.

A Message from the Governor, by Mr. Patrick, his private Secretary, notifying this House, that his Excellency did on yesterday, approve and sign an act, entitled "An act, supplementary to an act, entitled "An act, declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;" and that on this day he did approve and sign an act, entitled "An act, to alter and amend an act, to appoint Commissioners to lo-

cate the Lands given by the United States to this State for a Seat of Government, and for other purposes.”

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Metcalfe, from the select committee, appointed to receive proposals for the public printing, made the following Report :

THE Joint Committee, who were appointed to receive proposals for public printing, have attended to that duty:—

They have received Proposals from *Peter Isler*, *George B. Crutcher* and *Andrew Marschalk*, and beg leave to make the following Report:—

Mr. Isler proposes to print seven hundred copies of the acts of the present Session, at three dollars per page, for as many pages as shall be comprised in a single copy, to be printed in the same type, of which the Revised Code is a specimen, with marginal notes. The page to be of the same size, as the page of the Code; to deliver the Acts, cut, folded, and stiched, six weeks after the rise of the present Session of the General Assembly.—Also, to print three hundred and fifty copies of the Journals of each House, at two dollars per page, for as many pages as shall be contained in a single copy of each:—The page to be of the same size, and the type the same as the Acts, and to deliver them within six weeks after the delivery of the Acts.—Also, to furnish as many additional copies of the Acts and Journals, at fifty cents per page, for every hundred copies above the number before stated, for as many pages as shall be contained in a single copy of the Acts, and a single copy of each of the Journals of the respective Houses.

Mr. Crutcher proposes to print the same number of copies of the Acts and Journals, on the same terms, and in the same manner, and to deliver the Acts in forty-five days after the adjournment of the General Assembly, and the Journals in forty-five days thereafter; differing only a few days from the offer made by *Mr. Isler*, and making no proposals for additional work.

Mr. Marschalk proposes to print, on good paper; a new long primer type (being of the same denomination as that on which the Laws of the last session were printed,) the page to be of the same size as the page of the Code:—Also, to prepare marginal notes and index to any number of copies, not exceeding one thousand, at two dollars and fifty cents per page, for each page in one printed copy—each printed page of index to be considered as a printed copy of laws, and paid for at the same price—Also, to print the Laws in the State Gazette, free of expense. He will print the Journals of each House, on such page, type and paper, of the same quality as

those of the last Session of the General Assembly, for two dollars and twenty-five cents per page, for each page in one copy of said Journals; and to deliver 88 pages each of the Laws and Journals, after receiving the copy.

Some of the members of the joint committee have visited the offices of Messrs. Isler and Crutcher, and are of opinion, from a cursory view of the materials, that Mr. Isler is better provided to execute the work than Mr. Crutcher. They are further of opinion, that the remoteness of *Mr. Marschalk's* residence from the Seat of Government, would render it inconvenient and expensive to employ him to do the public work.

They consider it a just policy, that the General Assembly should encourage those printers who have established themselves at the Seat of Government, where they are equally able, and propose to work on equal terms.

Your committee, on a careful comparrison of the proposals of Messrs. Isler and Crutcher, do not find them so materially variant, as to make either preferable to the other—but believing that Mr. Isler has the best materials and knowing that he has been an old, and they believe a faithful servant; they respectfully recommend that Mr. Isler's proposals be accepted, and he be employed to execute the printing for the present session of the General Assembly.

*BELA METCALFE, Chairman of Committee,
House of Representatives.*

On motion of Mr. Metcalfe,
Ordered, That the same lie on the table.
The farther orders of the day were postponed.
And then the House adjourned.

THURSDAY, 2D. JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Burton presented the petition of Dillard Collins, praying compensation for distributing the laws and Journals of the last June session of the Legislature; which was read and referred to a select committee.

And Messrs. Burton, Cooper and Davidson were appointed.

Mr. Smith presented the petition from sundry inhabitants of Hinds county, praying a division thereof, which was read and referred to a select committee; and,

Messrs. Hinds, Smith and Jones were appointed.

Mr. Guice presented a petition from sundry citizens of Franklin county, on the subject of the Town of Franklin, in said county; which was read, and referred to a select committee; and,

Messrs. Guice, Robinson and Graves were appointed.

Mr. Liddell, from the joint committee of accounts, made the following Report, viz.:

The joint committee of accounts, to whom was referred the Governor's communication relative to the contingent fund of the year 1821, have had the same under consideration; have examined the vouchers, and find them correct, amounting to five hundred and fourteen dollars and seventy-three cents.— The Auditor of Public Accounts reports to your committee, that the sum of seven hundred and ninety one dollars and sixty-six cents of that fund was refunded to the Treasury, in the month of June last; and the balance of the said fund, they have found in cash, accompanying the said vouchers, one hundred and ninety-three dollars and sixty-one cents, which your committee have paid into the Treasury. Your committee now recommend the following Resolution.

Resolved, That the committee of accounts be directed to deposit the vouchers and papers relative to the contingent fund for the year 1821, in the office of the Secretary of State.

On motion,

Resolved, That this House receive and concur in the said Report and Resolution.

Ordered, that the Clerk acquaint the Senate therewith.

Mr. Cleveland moved, that the committee of the whole House be discharged from the further consideration of the Bill, entitled "An act, to establish an Inferior Court of Criminal Jurisdiction, for the County of Adams;"

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Burnet,

Ordered, That the order of the day upon said Bill be postponed 'till to-morrow.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have agreed to the Report of the joint committee of accounts, to whom was referred the Governor's communication relative to the contingent fund of the year eighteen hundred and twenty-one.

And then he withdrew.

The House, according to the order of the day, again resolv-

ed itself into a committee of the whole House, on the Bill, entitled "An act, making appropriations for the Natchez Hospital;" and, after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Gibson reported, that the committee had had the said Bill under consideration, and had made sundry amendments thereto, which were handed in at the Clerk's table and read.

On motion of Mr. Runnels,

Resolved, That the House receive and agree to the said report.

On motion of Mr. Runnels,

Ordered, That the said Bill, and the accompanying Memorial, be engrossed, and made the order of the day for its third reading to-morrow.

A Message from the Senate, by Mr. Willis, their Secretary.

MR. SPEAKER,

The Senate have adopted the following Resolution; in which they desire the concurrence of the House of Representatives:

Resolved, With the concurrence of the House of Representatives, the two Houses proceed to the election of a public printer, at 12 o'clock on this day.

And then he withdrew.

Also the following Message:

MR. SPEAKER,

The Senate have adopted a Resolution, that no bill of a public or private nature, shall be introduced in either House, after Monday next—In which Resolution they desire the concurrence of the House of Representatives.

And then he withdrew.

The farther orders of the day were postponed.

And then the House adjourned.

FRIDAY, 3D. JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Guice presented the petition of King Picket, which was read and referred to a select committee; and Messrs. Guice, Robinson and Dickson were appointed.

Mr. Burton presented the petition of Joseph Robertson, a witness on the trial of Lambkin W. Brown, which was read and referred to the committee of accounts.

Mr. Williams presented the petition of John Smith and George Meaders, and a remonstrance from David Benton, Thomas Wright and John Trail, which were read, and together with the accompanying documents, referred to a select committee; and Messrs. Williams, Burton, Dickson, Dougherty and Snodgrass were appointed.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, entitled "An act, to authorize the administrator of Joseph Guin, of Pike county, deceased, to sell real estate;" in which Bill they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr. Burton, from the select committee to whom was referred the petition of Dillard Collins, reported a Bill, entitled "An act, for the relief of Dillard Collins."

Which was read the first time; and with leave of the House, the said Bill was read the second time forthwith.

On motion of Mr. Burton,

Ordered, that the said Bill be referred to a committee of the whole house, and made the order of the day for to-morrow.

On motion of Mr. Burton,

Resolved, by the concurrence of the Senate, that a committee be appointed to act jointly with such committee as may be appointed on the part of the Senate, to inform his Excellency, the Governor, of all officers that may have been or may hereafter be elected by a joint vote of both houses.

And Messrs. Burton, Davidson and Smith were appointed.

Ordered, That the Clerk desire the concurrence of the Senate therein.

On motion of Mr. Smith,

Resolved, That the committee on the Judiciary be instructed to inquire whether it would be expedient to make any amendments or alterations in the act, entitled "An act, concerning the establishment, jurisdiction and powers of Inferior Courts of Law in the several counties of this State," with leave to report by Bill or otherwise.

Mr. Hinds presented a farther report from Abram Defrance, superintendent of public buildings, and is as follows, viz.:

[Document omitted in the copy furnished the printer.]

Which was read, and with the accompanying documents, referred to a select committee ; and Messrs. Hinds, Smith, Dickson, Selser and Cage were appointed.

A Message, in writing, from the Governor, by Mr. Patrick, his private Secretary, viz. :

To the General Assembly.

During the last recess of the General Assembly, *Walter M. Denny* was appointed by the Executive, to fill the office of District Attorney, for the first Judicial District.

And since the commencement of the present General Assembly, *Thomas A Willis* has resigned his commission as District Attorney for the fourth Judicial District.

WALTER LEAKE.

Jackson, January 1, 1823.

Mr. Runnels called for the order of the day on the Resolution from the Senate, to go into the election of a public printer.

On motion of Mr. Burton,

Ordered, That the same lie on the table.

Mr. Gibson, in pursuance of notice given, asked for, and obtained leave to bring in a Bill, entitled " An act, to amend an act, entitled " An act, establishing the fees of certain officers therein named ;" which was read the first time ; and, with leave of the House, the said Bill was read the second time forthwith.

On motion of Mr. Gibson,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for tomorrow.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, entitled " An act, for the benefit of David Falsame and others ;" in which Bill they desire the concurrence of the House of Representatives.

They have concurred in the Resolution from the House of Representatives to appoint a joint committee to wait on his Excellency, the Governor, to inform him of such officers as may be elected by a joint vote of the two Houses ; and have, on their part, appointed Mr. Sessions, to act with the committee appointed by the House of Representatives.

And then he withdrew.

The Bill from the Senate, entitled "An act, to establish an additional election district, in the county of Monroe," was read the first time; and, with leave of the House, the Rule was dispensed with, and the said Bill was read the second time forthwith.

Mr. Dickson moved, that the Rule be farther dispensed with and that the said Bill be read the third time forthwith,

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time, and passed with the title as above stated.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Burton called for the order of the day on the Resolution from the Senate, to go into the election of a public printer.

Mr. Burton moved to amend the said Resolution by striking out all after the word "*Resolved*," and inserting the following in lieu thereof, viz. "With the concurrence of the Senate, that the two Houses proceed to the election of a public printer, to print the laws passed at the present session of the General Assembly; and also a public printer to print the journals of both Houses of the present session of the General Assembly, at 12 o'clock on to-morrow, in the Representative Hall."

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the passage of the Resolution as amended,

And passed in the affirmative.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Dickson gave notice, that on to-morrow he will ask for leave to introduce the following Bills: "To allow Chief Justices of the respective counties within this State, to grant writs of *Habeas Corpus*;" "To amend the act concerning Highways, Ferries and Bridges;" and, "Allowing Judges of the Supreme Court the power of changing the Venue in capital prosecutions, in urgent cases."

The Resolution from the Senate, that no new motion shall be introduced into either House after Monday next, was read the first time.

On motion of Mr. Burton,

Ordered, That the same lie on the table.

The Bill from the Senate, entitled "An act, for the benefit of David Fulsome and others,"

Was read the first time.

The Bill, entitled "An act, to alter and amend an act, entitled "An act, to reduce into one the several acts concerning Slaves, Free Negroes and Mulattoes;"

Was read the second time.

On motion of Mr. Smith,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to establish an Inferior Court of Criminal Jurisdiction for the county of Adams;"

And after some time spent therein,

Mr. Speaker resumed the chair; and

Mr. Burnet Reported, That the committee had had the said Bill under consideration, and had made an amendment thereto, which was to "strike out all the Bill after the enacting clause."

Mr. Smith moved, that the House disagree to the said Report.

Mr. Fox moved, that the said Report lie on the table,

And the question thereon being taken,

It was determined in the negative.

The question then recurred on the motion made by Mr. Smith, to disagree to the said Report;

And was determined in the negative.

Mr. Cleveland moved, that the farther consideration of the said Bill be postponed indefinitely.

And the question thereon being taken,

It was resolved in the affirmative.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, to be entitled "An act, to divide the county of Covington and form a new county out of the same;

In which Bill they desire the concurrence of the House of Representatives.

And then he withdrew.

The farther orders of the day were postponed.

And then the House adjourned.

SATURDAY, 4TH JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Davidson presented the petition of James C. Dickson, in relation to certain records in the county of Pike, which was read, and referred to a select committee ;

And Messrs. Davidson, Burton, and Cleveland were appointed.

Mr. Gordon, from the select committee, to whom was referred the Bill providing for the leasing of School Tracts and erecting Academies, Reported a Bill, entitled "An act, to demise and lease the public School Tracts, and to erect and establish County Classic Academies for the general and equal diffusion of learning throughout the State, and other purposes therein mentioned ;"

Which was read the first time.

On motion of Mr. Runnels,

And the House dispensing with the Rule,

The said Bill was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for this day.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have given leave to introduce a Bill, to be entitled "An act, to alter and amend an act, entitled "An act, for the better securing the payment of Rents, and preventing the fraudulent practices of Tenants ; and to regulate the mode of issuing out Writs of Replevin."

And then he withdrew.

Mr. Cleveland, from the select committee to whom was referred the petition of Susannah Jones, and others, reported a Bill, entitled "An act, to authorize Susannah Jones to convey Real Estate ;"

Which was read the first time.

Mr. Dougherty, from the select committee, to whom was referred the petition of Samuel Martin, of Adams county, Reported, That the committee have had the same under consideration ; and, are of opinion, that the same is reasonable, and ought to be allowed. They, therefore, beg leave to recommend the following Bill for his relief, to be entitled "An act, for the relief of Samuel Martin ;"

Which Bill was read the first time.

Mr. Dougherty moved, that the said Bill lie on the table.

And the question thereon being taken,
It was resolved in the affirmative.

Mr. Speaker laid before the House a Report of the Auditor of Public Accounts, made in obedience to a Resolution of this House, the 28th ult.

Which was read, and ordered to lie on the table.

Mr. Burnet, from the select committee appointed to inquire whether any alteration or amendment was necessary to be made in the law defining the boundary lines between the several counties of the State, Reported a Bill, entitled "An act, to amend an act, entitled "An act, to define the boundaries of the several counties in this State;"

Which was read the first time ; and with leave of the House the said Bill was read the second time forthwith.

On motion of Mr. Burnet,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for Monday next.

Mr. Smith laid before the House a Report of the Commissioners for opening the navigation of Big Black River ;

Which was read, and with the accompanying documents, referred to a select committee ;

And Messrs. Smith, Burnet, and Gibson were appointed.

Mr. Burnet presented an Affidavit of B. M. Hines, in relation to designated Lots, in the town of Jackson ;

Which was referred to the committee of Propositions and Grievances.

Mr. Dickson, according to notice given, asked for, and obtained leave, to bring in a Bill, entitled "An act, to allow the Judges of the Circuit Courts to change the Venue, in criminal prosecutions;"

Which was read the first time ;

And, with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for Monday next.

Mr. Dickson, according to notice given, asked for, and obtained leave, to bring in a Bill, entitled "An act, to allow the Judges of Probate to grant Writs of *Habeas Corpus*;"

Which was read the first time ;

And, with leave of the House,

Was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be committed to a committee of

the whole House, and made the order of the day for Tuesday next.

Mr. Burton presented an account of Dillard Collins, for Three Dollars ;

Which was referred to the committee of accounts.

On motion of Mr. Gibson,

Resolved, That a committee be appointed, to inquire into the expediency of making an addition to the county of Warren, from the lands *laying* in Hinds county, with leave to report by Bill or otherwise ;

And, Messrs. Gibson, Smith, and Dougherty were appointed.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have concurred in the amendment from the House of Representatives, to the Resolution to go into the Election of a Public Printer, with some amendments thereto ; in which amendments they desire the concurrence of the House of Representatives.

And then he withdrew.

The House proceeded to consider the amendments named in the last above message from the Senate.

On motion,

Resolved, That this House concur in the first amendment.

Mr. Burton moved. that this House disagree to the second amendment.

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Dougherty gave notice, that on Monday next he will ask for leave to bring in a Bill, to be entitled " An act, concerning Public Roads in Adams county."

Also—

A Bill, to be entitled " An act, to enable claimants of Lands in the State of Mississippi, to perpetuate the evidences of their claims ;"

Mr. Guice gave notice, that on Monday next, he will ask for leave to bring in a Bill, to be entitled " An act, to compel the Collector of the Tax, for the year 1818, to pay into the hands of the Commissioners of Public Buildings, certain monies by him collected."

Mr. Hurst, gave notice, that on Monday next, he shall ask for leave to introduce a Bill, " To prevent the importation of Slaves in this State, as merchandize."

Mr. Metcalfe, from the Judiciary Committee, who were instructed to inquire what amendments, if any, were necessary to be made, to certain Laws; and what Laws which have been repealed ought to be revived; Reported—

That the committee have had the subject under consideration, and beg leave to Report, in part, a Bill, to be entitled “An act, to amend an act, for the punishment of crimes and misdemeanors;”

And, a Bill, to be entitled “An act, to amend ‘an act, to reduce into one, the several acts, concerning Executions, and for the relief of Insolvent Debtors;”

Which Bills were read the first time;

And, with leave of the House, the said Bills were read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bills be referred to a committee of the whole House; and the latter, made the order of the day for Tuesday next; and the former, made the order of the day for Wednesday next.

A Message from the Senate, by Mr. Willis, their Secretary;

MR. SPEAKER,

The Senate insist on their second amendment to the amendment from the House of Representatives, to the Resolution to go into the Election of a Public Printer.

And then he withdrew.

The House again proceeded to consider their disagreement to the second amendment made by the Senate to the amendment made by this House, to the Resolution from the Senate to go into the election of a Public Printer.

Mr. Burnet moved, that this House recede from their disagreement to said amendment.

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Burton,

Resolved, That a conference with the Senate be requested, on the subject matter of amendment and disagreement to said Resolution; and that a committee be appointed on part of this House, to act with such committee as may be appointed by the Senate, on said subject;

And Messrs. Burton, Runnels and Burnet were appointed.

Ordered, That the Clerk inform the Senate thereof.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have agreed to the request from the House of

Representatives, to appoint a committee of conference on the subject matter of amendment and disagreement between the two Houses, on the Resolution to go into the Election of a Public Printer; and have, on their part, appointed Messrs. Scott and M'Kay, to act with the committee appointed by the House of Representatives.

And then he withdrew.

Mr. Burton, from the joint committee, to whom was referred the subject matter of disagreement between the two Houses, Reported, That they have conferred on that subject, and recommend that the House of Representatives recede from their disagreement to the amendment made by the Senate to the amendment made by the House of Representatives.

On motion of Mr. Burton,

Resolved, That the House concur in said Report.

Ordered, That the Clerk acquaint the Senate therewith.

The House, according to the order of the day, resolved itself into a committee of the whole House on the Bill, entitled "An act, to demise and lease the Public School Tracts, and to erect and establish County Classic Academies for the general and equal diffusion of learning throughout the State; and other purposes therein mentioned ;"

And after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. Dickson reported, that the committee had had the said Bill under consideration, and had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Dickson,

Resolved, That the said Report be received and agreed to.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have agreed to the Report of the joint committee of conference on the subject matter of amendment and disagreement between the two Houses.

And then he withdrew.

Ordered, That the Clerk inform the Senate that this House is now ready to receive them in the Representative Chamber, to go into the election of Printers for the State, in pursuance of a joint Resolution of the two Houses.

The Clerk having performed that service, the Senate came into the Representative Chamber and took the seats assigned to them, and the two Houses proceeded in said election.

The votes were as follow, viz :

For *George B. Crutcher*, Printer for the State, of the Laws passed during the present session and other public printing, except the Journals.

SENATORS.

Mr. Barry,

Mr. Scott,—2.

REPRESENTATIVES.

Mr. Speaker,

Aid,

Burnet,

Burton,

Cleveland,

Cooper,

Cage,

Dougherty,

Dickson,

Davidson,

Gibson,

Mr. Gordon;

Guice,

Graves,

Lang,

Runnels,

Reese,

Reed,

Smith,

Selser,

Williams,—21.

 23.

For *Peter Isler*, for same office.

SENATORS.

Mr. Anderson,

Brown,

Calvit,

Mr. Norton,

Sessions,

Spencer.—7.

REPRESENTATIVES.

Mr. Fox,

Hurst,

Jones,

Metcalf,

Mr. McLeod,

Robinson,

Snodgrass,—7.

 14.

Whereupon—

The President of the Senate announced to the two Houses that *George B. Crutcher* was constitutionally elected Printer for the purposes above stated.

For Public Printer of the Journals of the present session of the General Assembly, the votes were as follow, viz. :

For *Peter Isler*.

SENATORS.

Mr. Anderson,

Barry,

Brown,

Calvit,

McKay,

Mr. Norton,

Sessions,

Scott,

Spencer—9.

REPRESENTATIVES.

Mr. Speaker,

Ard,

Mr. Hurst,

Jones,

Burnet,
Burton,
Cleveland,
Cooper,
Cage,
Dougherty,
Dickson,
Davidson,
Fox,
Gibson,
Gordon,
Guice,
Graves,

Lang,
Metcalf,
McLeod,
Runnels,
Reese,
Reed,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams,—28.

37.

Whereupon—

The President of the Senate announced to the two Houses that Peter Isler was unanimously elected Printer for the State for the purposes above said.

And then the Senate withdrew.

The engrossed Bill, entitled “An act, making appropriations for the Natchez Hospital,” and the engrossed Memorial and Resolution accompanying the same, to the Congress of the United States, on the subject of said Hospital, were severally read the third time and passed—the said Bill, with title as stated.

Ordered, That the Clerk carry the same to the Senate, and desire their concurrence therein.

The engrossed Bill, entitled “An act, to change the name of Crittington Crumpton,”

Was read the third time.

Mr. Gibson moved, to amend the said Bill, by way of rider, by adding a new section, viz: “Sec. 2. And be it further enacted, That the said Crittington Clark is hereby made the lawful heir of Robert Clark.”

And the question thereon being taken,

It was determined in the negative.

The question then recurred on the passage of the Bill, and passed in the affirmative.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Fox moved that the House reconsider their vote of yesterday on the indefinite postponement of the Bill entitled “An act, to establish an Inferior Court of Criminal Jurisdiction for the County of Adams.”

And the question thereon being taken,
It was resolved in the affirmative.

Mr. Fox moved that the House do reconsider their vote, taken on the report of the committee of the whole house, on said Bill.

And the question thereon being taken,
It was resolved in the affirmative.

On motion of Mr. Burnet,

Ordered, That the report of the committee of the whole house on said Bill, lie on the table.

On motion of Mr. Jones, for the purpose,

Resolved, That when this House adjourn, it will adjourn till 3 o'clock, P. M.

And then the House adjourned.

THREE O'CLOCK, P. M.

On motion of Mr. Burnet,

Resolved, That the Secretary of State be requested to lay before this House, any information in his possession relative to the disposition of the furniture belonging to the State, when the Seat of Government was removed from Natchez, and from Columbia, respectively.

On motion of Mr. Fox, the following resolutions were adopted, viz.

Resolved, That the Adjutant-General of this State be required to make a report to this House of the strength and condition of the Militia of this State.

Resolved, That the Quarter Master General of this State be required to make a report to this House, of the number of arms, of what kind, and of all munitions of war belonging to this state, now in his hands: and further, what distribution, if any, has been made, and what regiment or regiments have received them.

The Bill, entitled "An act to regulate proceedings at law and in chancery," was read the second time.

On motion of Mr. Runnels,

Ordered, That the said Bill be committed to a committee of the whole House, and made the order of the day for Wednesday next.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act to alter and amend an act entitled "An act to

reduce one the several acts concerning slaves, free negroes and mulattoes;"

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Cage reported, that the committee had had the said Bill under consideration, and made an amendment thereto, which was handed in at the clerk's table.

On motion of Mr. Smith,

Resolved, That the said report be received and agreed to.

On motion of Mr. Jones,

Ordered, That the said Bill be engrossed, as amended, and made the order of the day for its third reading on Monday next.

The Bill, entitled "An act to repeal the third, sixth and seventh sections of an act, entitled "An act to suppress Dueling," was read the second time.

On motion of Mr. Runnels,

Ordered, that the said Bill be referred to a committee of the whole house, and made the order of the day for Wednesday next.

The Bill, entitled "An act to extend the jurisdiction and powers of the County Court in and for the County of Monroe," was read the second time.

On motion of Mr. Williams,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for Wednesday next.

The Bill, entitled "An act to punish champerty, maintenance and embracery," was read the second time.

Mr. Metcalfe moved that the said Bill be referred to a select committee.

And the question thereon being taken;

It was resolved in the affirmative.

And Messrs. Metcalfe, ———— were appointed.

The Bill, entitled "An act to establish additional election districts in the counties of Amite and Pike," was read the second time.

On motion of Mr. Burton,

Ordered, That the said Bill be engrossed, and made the order of the day for its third reading for Thursday next.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill for the relief of Dillard Collins;

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Daugherty reported, that the committee had had

the said Bill under consideration, and had made an amendment thereto, which was handed in at the clerk's table.

On motion of Mr. Burton,

Resolved, That the House receive and agree thereto.

On motion of Mr. Barton.

Ordered That the said bill be engrossed and read the third time on Monday next.

On motion of Mr. Runnels,

Ordered, That Mr. Burton be added to the committee appointed on the subject matter of the act respecting inns, taverns and houses of private entertainment.

On motion,

Ordered, That Mr. Gordon, be excused from his farther attendance on the committee of Propositions and Grievances.

On motion of Mr. Fox,

Resolved, That a committee be appointed to inquire into the expediency of making further appropriations in improving the navigation of Big Black and Pearl Rivers," with leave to report by bill or otherwise; and Messrs. Fox, Runnels, Gibson, Burnet and Smith, were appointed.

On motion of Mr. Burnet,

Ordered, That the report of the Commissioners appointed to clear out the Big Black River, be referred to the same committee.

Mr. Smith, gave notice, that he will on Monday next, ask for leave to bring in a Bill, to incorporate the Town of Jackson.

The farther orders of the day were postponed
And then the House adjourned.

MONDAY, 6th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Williams, from the select committee to whom was referred the Petition and Remonstrance in relation to slaves named in Lamsons Thompson's will, reported a Bill, entitled "An act, for the emancipation of certain slaves therein named," which was read the first time.

Mr. Guice, from the select committee to whom was referred the Petition to change the name of the county seat of Franklin county, reported a Bill, entitled "An act to change the name of the town of Meadville in Franklin county" which

was read the first time, and with leave" of the House, was read the second time forthwith.

On motion of Mr. Guice.

Ordered, That the said Bill be engrossed and made the order of the day for to-morrow, for its third reading.

Mr. Hurs, from the committee of Propositions and Grievances to whom was referred the Petition from sundry citizens in Franklin county, in relation to Town Lots in the Town of Franklin reported a Bill entitled "An act for the relief of certain persons therein named," which was read the first time.

Mr. Guice, from the select committee to whom was referred the Petition of King Picket, reported a Bill entitled "An act to change the name of King Picket," which was read the first time.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill to be entitled "An act to alter and amend an act, entitled "An act for the better securing the payment of rents and preventing the fraudulent practices of Tenants, and to regulate the mode of suing out Writs of Replevin ;"

In which Bill they desire the concurrence of the House of Representatives.

And then he withdrew.

The Bill from the Senate in said Message named was read the first time.

On motion of Mr. Burton,

Resolved, That a committee be appointed on Public Buildings, whose duty it shall be to examine the State House, and inquire whether the same has been completed according to contract : and also, to inquire into what alterations are necessary to be made to said building, and if any, to report the same to this House."

And Messrs. Burton, Hinds and Davidson were appointed.

The House, according to the order of the day, resolved itself again into a committee of the whole House on the Bill, entitled "An act to demise and lease the public School Tracts, and to erect and establish county classic Academies, for the general and equal diffusion of Learning throughout the state ; and other purposes therein mentioned, and after some time spent therein,

Mr. Speaker resumed the chair ;

And Mr. Dickson reported that the committee had had the

said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Dickson

Resolved, That the House receive and agree to the said report.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed the Bill from the House of Representatives entitled "An act to change the name of Crittington Crumpton."

And then he withdrew.

A message in Writing from the Governor, by Mr. Patrick, his private Secretary, viz :

To the General Assembly.

I herewith transmit to the General Assembly a report from the Secretary of State ; whereby it appears that the Commission of Samuel C. Woodridge, as Treasurer of the State, has expired.

WALTER LEAKE.

Jackson, Jan'y. the 6th, 1823.

Which was read.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Resolution to go into the Election of a State Treasurer, and an Auditor of public Accounts, In which Resolution they desire the concurrence of the House of Representatives.

And then he withdrew.

The House proceeded to consider the said Resolution to Elect Auditor and Treasurer, for the State, which was read and concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith, and to inform the Senate that this House is now ready to receive the Senate in the Representative Chamber, to go into the said Election.

The Clerk having performed that service, the Senate came into the Representative Chamber and took their seats assigned to them, and proceeded in said Election :

For Auditor of Public Accounts the votes were as follows, viz.

For Hiram G. Runnels.

SENATORS.

Mr. Anderson,
Barry,
Brown,
Calvit,
McKay,

Mr. Norton,
Regan,
Sessions,
Scott,
Spencer,——10.

REPRESENTATIVES.

Mr. Speaker,
Ard,
Burnet,
Burton,
Cleveland,
Cooper,
Cage,
Dougherty,
Dickson,
Davidson,
Fox,
Gibson,
Gordon,
Guice,
Graves,

Mr. Hurst,
Hinds,
Jones,
Liddell,
Lang,
Metcalf,
McLeod,
Runnels,
Reese,
Reed,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams.——30.

40.

Whereupon—

The President of the Senate announced to the two Houses that Hiram G. Runnels, was Constitutionally Elected Auditor of Public Accounts for this State.

For Treasurer of the State the votes were as follows, viz :

For Samuel C. Woodridge.

SENATORS,

Mr. Anderson,
Barry,
Brown,
Calvit,
McKay,

Mr. Norton,
Regan,
Sessions,
Scott,
Spencer.——10.]

REPRESENTATIVES.

Mr. Speaker,
Ard,
Burnet,

Mr. Hurst,
Hinds,
Jones,

Burton,
Cleveland,
Cooper,
Cage,
Dougherty,
Dickson,
Davidson,
Fox,
Gibson,
Gordon,
Guice,
Graves,

Liddell,
Lang,
Metcalfé,
McLeod,
Runnels,
Reese,
Reed,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams,——30.

40.

Whereupon—

The President of the Senate announced to the two Houses, that Samuel C. Woodridge, was Constitutionally Elected Treasurer of the State.

And then the Senate withdrew.

On motion of Mr. Runnels,

The House again resolved itself into a Committee of the whole House, on the Bill “to demise and lease, the Public School Tracts, and to erect and establish county Classic Academies for the general and equal diffusion of learning throughout the State, and for other purposes therein mentioned,” and after some time spent therein,

Mr. Speaker, resumed the chair,

And Mr. Dickson, reported that the Committee had again had the said Bill under consideration, had made further progress therein, and that he was directed to ask for leave to sit again.

Mr Metcalfe, moved,

That the report of the Committee of the whole House on said Bill lie on the table.

And the question thereon being taken,

It was resolved in the affirmative.

On motion of Mr Burton,

Resolved, That when this House adjourn, it will adjourn till 3 o'clock, P. M.

And then the House adjourned.

3 O'CLOCK, P. M.

Mr. Runnels called for the order of the day on the Bill entitled “An act to repeal a certain act and parts of acts therein named, and for other purposes,”

Whereupon—

And on motion of Mr. Runnels,

The House forthwith resolved itself into a committee of the whole house on said Bill; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Smith reported, that the committee had had the said Bill under consideration, and had made an amendment thereto; which was handed in at the Clerk's table and read

On motion of Mr. Daugherty,

Resolved, That the said report be received and agreed to.

Mr. Metcalfe moved that the said bill, as amended, be referred to a select committee.

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Runnels,

Ordered, That the said bill be engrossed, as amended, and made the order of the day for its third reading for to-morrow.

The farther orders of the day were postponed.

And then the House adjourned.

TUESDAY, 7TH JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Gibson, presented a petition from sundry Citizens of Warren and Hinds counties, praying Commissioners may be appointed to lay off a Road from the Town of Jackson to the nearest point of the Mississippi River, which was read, and referred to a select committee; and Messrs. Gibson, Smith and Dougherty, were appointed.

Mr. Gibson, also, presented a Petition from citizens of Warren County, on the subject of School Lands, which was read, and referred to a select committee, and Messrs. Gibson, Gordon, Snodgrass, Smith and Burnet, were appointed.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had examined enrolled Bills, viz: "An act to change the name of Crittington Crumpton," and "An act to establish an additional Election District, in the County of Monroe," and found them truly enrolled.

Whereupon—

Mr. Speaker signed the same.

Ordered, That the Clerk carry the said Bills to the Senate for the signature of the President thereof.

Mr. Hurst from the committee of Propositions and Grievances, reported, viz: The committee have had under con-

sideration, the Petition of P. B. Harrison, praying, an act, for the emancipation of a Negro Woman, Betty. Also, the Petition of Solomon Whitley, praying relief for certain causes therein set forth, and also, the petition of David Hughey and others, praying the incorporation of the Harmony Society, and beg leave to report on the said several petitions by three several Bills."

Which Bills are, viz:

"An act to Incorporate the Harmony Society of Jefferson County," and a Bill entitled, "An act for the emancipation of Negro Woman Betty," which were severally read the first time,

And with leave of the House, the said Bills were read the second time forthwith.

On motion of Mr. Hurst,

Ordered, That the said Bills be Engrossed, and made the order of the day for their third reading to-morrow.

Also,—the following Bill to wit: "An act for the relief of Solomon Whitley," which was read the first time—and with leave of the House, was read the second time forthwith.

On motion of Mr. Hurst,

Ordered, That the said Bill be referred to a Committee of the whole House, and made the order of the day for to-morrow.

The Engrossed Bill entitled, "An act to repeal a certain act, and parts of acts therein named, and for other purposes," was read the third time.

On motion of Mr. Burton,

Ordered, that the said Bill lie on the table.

The engrossed Bill entitled, "An act to alter and amend an act entitled, "An act to reduce into one the several acts concerning Slaves, free Negroes and Mulattoes," was read the third time.

Mr. Metcalfe moved to amend the said bill, by way of Rider, by adding the following as a new section, viz:

SEC. *And be it further enacted*, That where any slave shall be accused and put upon trial for any offence for which the punishment is death, and the owner or owners, or other person or persons, having the care of such slave, shall not employ counsel to defend such slave, the Court before whom any trial shall be depending, shall assign Counsel as heretofore, and order the owner or owners, or other person or persons as aforesaid, to pay to such Counsel any sum of money not exceeding ——— dollars, and in case of failure or a refusal to pay, to enter up judgement and award the execution therefor in favour of such Counsel."

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Smith moved to fill the blank in said section, with the word *fifty*.

And the question thereon being taken,

It was determined in the negative.

Mr. Metcalfe moved the sum of *thirty*.

And the question being put,

Was negatived.

Mr. Burton moved, that the said blank be filled with the words *twenty-five*.

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the passage of the Bill, as amended, and passed in the affirmative.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill from the House of Representatives entitled, "An act making appropriations to the Natchez Hospital," with an amendment thereto—In which they desire the concurrence of the House of Representatives.

They have passed the Memorial to Congress, in relation to the Natchez Hospital.

And then he withdrew.

The House proceeded to consider the amendment made by the Senate to a Bill, "making appropriations to the Natchez Hospital."

Which being read,

Mr. Metcalfe moved, that the House concur in said amendment.

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

The Bill from the Senate, entitled "An act to divide Covington County, and form a new County out of the same," was read the first time, and with leave of the House, the said Bill was read the second time forthwith.

On motion of Mr. Smith,

Ordered, That the said bill be read the third time on Saturday next.

The Bill from the Senate, entitled "An act to authorize the

administrator of Jephtha Ginn, of Pike County, deceased, to sell real estate," was read the second time.

The engrossed Bill, entitled "An act for the relief of Dillard Collins," was read the third time, and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The House, according to the order of the day, resolved itself into a committee of the whole house on the Bill, entitled "An act to amend an act, entitled "An act establishing the fees of certain officers therein named;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hurst reported, that the committee had had the said bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Gibson,

Ordered, That the committee of the whole House be discharged from the farther consideration of the said Bill, and that the same be referred to a select committee, and Messrs. Gibson, Burnet, Smith, Dougherty, Selcer, Cleveland and Reed, were appointed.

The Bill, entitled "An act to authorize Susana Jones, to convey real Estate;"

Was read the second time.

On motion of Mr. Cleveland,

Ordered, That the said Bill be Engrossed, and made the order of the day for to-morrow, for its third reading.

The Bill from the Senate, entitled "An act, for the benefit of David Fulsome, and others;"

Was read the second time.

On motion of Mr. Hinds,

Ordered, That the committee of the whole House be discharged from the farther consideration of the Bill, "to amend an act, entitled An act, to define the boundaries of the several Counties of this State;" and that the same be referred to a select committee.

And Messrs. Burnet, Gordon, Hinds, Dougherty and Guice, were appointed.

On motion of Mr. Metcalfe,

Ordered, That the Judiciary Committee, be discharged from the further consideration of the Resolution instructing them to enquire, whether it would be expedient to make any amendments or alterations in the act, entitled "An act, concerning the establishment, jurisdiction and powers of Inferior Courts of Law, in the several counties of this State," and,

Ordered, that the subject matter in said resolution, be re-committed to a select committee.

And Messrs. Smith, Burton, Fox, Dougherty, Selcer, Williams and Cage, were appointed.

Mr. Gibson gave notice, that on to-morrow, he will ask for leave to introduce a Bill, to be entitled "An act, to repeal the forty-fifth section of the act to reduce into one, the several acts concerning the establishment, jurisdiction and powers of the Supreme Court of Law."

The House, according to the order of the day, resolved itself into a committee of the whole House on the Bill, entitled "An act, to allow the Judges of the Circuit Courts, to change the venue in criminal prosecutions;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cleveland reported, that the committee had had the said Bill under consideration, and had made an amendment thereto, which was to strike out all the Bill after the enacting clause.

On motion of Mr. Cleveland,

Resolved, That the House receive and agree to the said Report.

Mr. Fox moved that the further consideration of the said Bill be postponed indefinitely.

Mr. Runnels and two other members, called for the yeas and nays—when,

On motion of Mr. Burton,

Resolved, That the House adjourn, till 3 o'clock, P. M.

And the House adjourned accordingly.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The motion for the indefinite postponement of the Bill "to allow the Judges of the Circuit Courts to change the venue in Criminal Prosecutions," being under consideration.

Those who voted in the affirmative, are,

Mr. Speaker,
Burnet,
Burton,
Cleveland,
Cage,
Dougherty,
Davidson,

Mr. Hurst,
Jones,
Metcalf,
McLeod,
Reese,
Robinson,
Smith,

Fox,
Guice,
Graves,

Selcer,
Snodgrass,

19.

Those who voted in the negative, are,

Mr. Ard,

Mr. Lang,

Cooper,

Runnels,

Dickson,

Reed,

Gordon,

Williams,—8.

And so the Bill was indefinitely postponed.

On motion of Mr. Cage,

Ordered, That the Committee of Accounts be allowed to sit this afternoon, during the session of the House.

Mr. Runnels moved, that the House do adjourn.

And the question being put,

It was determined in the negative.

The House, according to the order of the day, resolved itself into a committee of the whole house on the Bill, entitled "An act to allow the Judges of Probate to grant writs of Habeas Corpus;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Burnet reported, that the committee had had the said Bill under consideration, and had made an amendment thereto; which was handed in at the Clerk's table. And,

On motion of Mr. Burnet,

Resolved, That the House agree to the said report.

On motion of Mr. Burton.

Ordered, That the said Bill be engrossed, as amended, and made the order of the day for its third reading on to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act to amend "an act to reduce into one the several acts concerning Executions, and for the relief of Insolvent Debtors;"

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Cage reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Cage,

Resolved, That the said report be agreed to.

On motion of Mr. Runnels,

Ordered. That the said bill be engrossed, and made the order of the day for its third reading on to morrow.

The farther orders of the day were postponed.

And then the House adjourned.

WEDNESDAY, 8th JANUARY, 1923.

The House met pursuant to adjournment.

Mr. Burnet presented the Petition of David D. Downing, Executor of Claiborne Harris, deceased, which was read, and with accompanying documents, referred to a select committee.

And Messrs. Burnet, Smith and Dougherty, were appointed.

Mr. Dougherty presented the Petition of John Glover, and others, witnesses in a certain prosecution, which was read, and referred to a select committee.

And Messrs. Dougherty, Gordon and Selcer, were appointed.

Mr. Guice, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act to compel the collector of Franklin County, for the year 1818, to pay certain monies by him collected, to the Commissioners for Public Buildings in said County,"

Which was read the first time ;

And, with leave of the House,

Was read the second time forthwith.

On motion of Mr. Burton,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to morrow.

On motion of Mr. Smith,

Resolved, That a committee be appointed to inquire into the expediency of appointing Commissioners to run and mark out Roads from the Seat of Government to Natchez, and other points within this State, with leave to report by Bill or otherwise.

And Messrs. Hinds, Gibson, Dougherty, Williams and McLeod, were appointed.

Mr. Metcalfe, from the committee to whom was referred the Bill, "punishing Champerty, Maintenance and Embrocery," reported the same Bill, striking out the sixth section, which was read ; and

On motion of Mr. Runnels,

Ordered, That the same lie on the table.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, to be entitled, "An act to amend an act, entitled "An act to amend an act, to incorporate the Town of Liberty, in the county of Amite, passed on the

7th day of February 1820 : in which they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr. Metcalfe, asked for and obtained leave to bring in a Bill, entitled "An act to prescribe the mode of changing the Venue in Civil Cases ;"

Which was read the first time ; and with leave of the House, the said Bill was read the second time forthwith.

On motion of Mr. Runnels,

Ordered. That the said Bill be referred to a committee of the whole House, and made the order of the day for Saturday next.

Mr. Cage, from the joint committee on Enrolled Bills, reported, that the committee had presented to his Excellency the Governor, for his approbation and signature, the following Bills, to wit.

"An act, to change the name of Crittington Crumpton;"

And "An act, to establish an additional Election district, in the county of Monroe."

Mr. Burnet, gave notice that he will on to-morrow, ask leave to bring in a Bill, to be entitled, "An act to incorporate Trustees of Centre Academy and Meeting-House, in Claiborne county."

Mr. Dougherty, according to notice given, asked for, and obtained leave, to bring in a Bill, entitled "An act, to enable Claimants of Lands in the State of Mississippi, to perpetuate the evidences of their claims."

Which was read the first time ;

And, with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for Monday next.

Mr. Gibson, from the select committee to whom was referred the Petition, from Warren and Hinds counties, reported a Bill, entitled "An act, to appoint Commissioners to view and mark out a road from Jackson, the present Seat of Government of this State, to the nearest and best landing in Warren county, on the river Mississippi."

Which was read the first time.

And with leave of the House, the said Bill was read the second time forthwith.

On motion of Mr. Smith,

Ordered, That the said Bill be referred to the committee

appointed upon the Resolution to inquire into the expediency of laying off a Road from Jackson to Natchez, and other points within this State.

Mr. Cage, moved that the House adjourn till 3 o'clock, P. M.
And the question thereon being taken,
It was resolved in the affirmative.
And then the House adjourned.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.
The farther orders of the day were postponed
And then House adjourned.

THURSDAY, 9th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Hinds presented a farther and final report, of the Commissioners appointed to lay off the Town of Jackson, and have erected a temporary State House therein; which was referred to the committee on public buildings.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had examined an enrolled Bill entitled "An act making appropriations for the Natchez Hospital;" And,

"A memorial in relation to the Natchez Hospital."

And found them truly enrolled.

Whereupon—

Mr. Speaker signed them.

Ordered, That the Clerk carry the same to the Senate, for the signature of the President thereof.

Mr. Runnels, from the committee of Elections, made the following Report; "That they have examined the Credentials, and report the following gentlemen, duly Elected members of the House of Representatives, for the State of Mississippi,

For Green County,	{	Mr. John McLeod,
Hinds County,		Benjamin F. Smith,
		Harry Cage,
Wilkinson County,		G. C. Brandon,
	}	Moses Linddell

Amite County,	{	Francis Graves,
	{	Richard Hurst,
	{	James Jones,
Pike County,	{	John Burton,
	{	Richard Davidson,
	{	David Cleveland,
Marion County,	{	Abraham Ard,
Claiborne County,	{	Daniel Burnet,
	{	Adam Gordon,
Wayne County,	{	Samuel W. Dickson,
	{	William Lang,
	{	Harman Runnels,
Lawrence County,	{	Joseph Cooper,
	{	Arthur Fox,
	{	George Dougherty,
Adams County,	{	John Snodgrass,
City of Natchez,	{	Bela Metcalfe,
Monroe County,	{	Christopher H. Williams
	{	Thomas Hinds,
Jefferson County,	{	Isaac N. Selcer,
	{	Jesse Guice,
Franklin County,	{	Joseph Robertson,
Warren County,	{	James Gibson,
Perry County,	{	David Reese,
Covington County,	{	William Reed.

On motion of Mr. Runnels, -

Resolved, That the said Report be received and agreed to.

Mr. Davidson, from the select committee to whom was referred the Petition from Pike county, in relation to certain Records, reported a Bill, entitled "An act, for the relief of James C. Dickson;"

Which was read the first time,

And with leave of the House,

Was read the second time forthwith.

On motion of Mr. Burton,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Speaker laid before the House a report from the Secretary of State, in obedience to a resolution of this House, in relation to the public furniture at Natchez and Columbia, respectively; which was read, and, with an accompanying document, referred to the Committee of Ways and Means

Mr. Farnet called for the order of the day on the resolution from the Senate to go into the election of a Senator to Congress, and other officers therein named; which was again read

Mr. Smith moved, that the said resolution be referred to a select committee.

And the question thereon being taken,

It was determined in the negative.

Mr. Burton moved that the said resolution lie on the table.

And the question thereon being taken,

It was determined in the negative.

Mr. Burton moved to amend the resolution, by striking out so much of the same as requires an election to be had of a Judge and Senator.

And the question thereon being taken,

It was determined in the negative.

Mr. Burnet moved, that the said resolution be amended by striking out the words *to morrow*, and inserting *the 10th January*, 1823.

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Guice moved farther to amend said resolution, by adding the following, viz: "And Judge of Probate for the County of Franklin."

And the question being put;

It was resolved in the affirmative.

Mr. Gibson moved farther to amend said resolution, by adding as follows, viz: "And Associate Justice for the county of Warren."

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the passage of the Resolution as amended,

And passed in the affirmative.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Dickson asked for and obtained leave to bring in a Bill, entitled "An act to establish a permanent Seat of Justice for the County of Green.

Which Bill was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be committed to a committee of the whole House, and made the order of the day for Saturday next.

Mr. Daugherty, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act concerning public roads in Adams county."

Which Bill was read the first time; and with leave of the House, the said Bill was read the second time forthwith.

On motion of Mr. Dougherty,

Ordered, That the same be referred to a committee of the whole House, and made the order of the day for Monday next.

Mr. Metcalfe, presented a Petition of Peter Isler, praying further compensation, for Printing the revised Code ;

Which was read, and referred to the committee of Propositions and Grievances.

Mr. Gibson, according to notice given, asked for, and obtained leave, to bring in a Bill, entitled " An act, further to extend the limits of Warren county ;"

Which was read the first time,

And with leave of the House, was read the second time.

Mr. Smith moved, that the said Bill be referred to the committee appointed on the Petition praying a division of Hinds county ;"

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Metcalfe, submitted " the Resolution authorizing the Governor to occupy the State House, as a private dwelling ;"

Which was read the first time.

And with leave of the House, was read the second time forthwith.

Mr. Hinds, moved that the said Resolution be referred to a committee of the whole House, and made the order of the day forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The House forthwith resolved itself into a committee of the whole House on said Resolution;

And after some time spent therein,

Mr. Speaker resumed the chair ; and

Mr. Runnels Reported, That the committee had had the said Resolution under consideration, and had made an amendment thereto, which was handed in at the Clerk's table.

On motion of Mr. Runnels,

Resolved, That the House receive and agree to the said report.

On motion of Mr. Metcalfe,

Ordered, That the said Resolution be engrossed, as amended, and made the order of the day for its third reading to-morrow.

Mr. Gibson, from the select committee to whom was referred the Bill, " to amend An act, entitled "An act, establishing

the fees of certain officers therein named ;" reported a Bill of the same title. which was read the first time.

Mr. Gibson moved, that the rule be dispensed with, and that the said Bill, be read the second time forthwith.

And the question thereon being taken,
It was determined in the negative.

Mr. Cage moved, that the House re-consider the last vote above taken.

And the question thereon being taken,
It was resolved in the affirmative.

The question then recurred on the question put on the motion by Mr. Gibson,

And was determined in the negative.

A Message from the Senate, by Mr. Willis, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, entitled "An act, reviving an act, appointing an additional board of Medical Censors ;"

In which Bill they desire the concurrence of the House of Representatives.

They have concurred in the amendments, made by the House of Representatives, to the Resolution to go into the Election of a Senator to Congress, and others ;"

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to regulate proceedings at Law, and in Chancery ;"

And after some time spent therein,

Mr. Speaker resumed the chair ; and

Mr. Fox reported, that the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Fox,

Resolved, That the said report be received and agreed to.

The Bill from the Senate. entitled "An act, to authorize the Administrator of Jephtha Ginn, of Pike county, deceased, to sell real E-tate ;" was read the second time.

Mr. Burnet moved, that the committee of the whole House, be discharged from the further consideration, of the Bill, entitled, "An act, to repeal the 3d, 6th, and 7th, sections, of an act, entitled, "An act, to suppress Duelling ;"

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Cleveland moved, that the further consideration of the said Bill, be postponed indefinitely.

And the question thereon being taken.

It was resolved in the affirmative.

On motion of Mr. Jones,

Ordered, That the House adjourn till 3 o'clock, P. M.

And the House adjourned accordingly.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Burton, presented an account of James Lion, of \$15, for extra work done on the State House, which was referred to the committee of claims.

Mr. Burton, from the committee appointed on the subject of Public Buildings, reported that they have performed part of the duties assigned to them, and have examined the State House, and find the Brick work to be executed in pursuance of a contract entered into by the undertaker, with the superintendent, with a very slight or small difference, which they deem unnecessary to call the attention of the House to—and

On an examination of the wood work, your committee feel it their duty to report a very material departure from the contract, but taking into consideration, the very low price for which the building was undertaken, the short time in which the work was to be performed, the detached situation of the Town of Jackson from the old settlements; the difficulty of obtaining workmen, provisions and suitable materials, are of opinion with due deference to the House, that the building ought to be received in accordance to the contract."

On motion of Mr. Burton,

Resolved, That the said Report be received and agreed to.

Mr. Burnet, presented an account of W. H. Ganong, for \$8 50; which was referred to the committee of claims.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill, entitled "An act, to extend the Jurisdiction and Powers, of the County Court in and for the county of Monroe;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hinds reported, that the committee had had the said Bill under consideration, and had made some amendments thereto, which were read at the clerk's table.

Mr. Cleveland moved, that the House disagree to the said Report

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Williams,

Ordered, That the said Bill be engrossed as amended, and made the order of the day for its third reading for to-morrow.

The engrossed Bill, entitled "An act, to establish additional Election Districts in the counties of Amite and Pike, was read the third time, and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The Bill from the Senate, entitled "An act for the benefit of David Fulsome and others," was read the third time, and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The engrossed Bill, entitled "An act to allow the Judges of Probate to grant writs of Habeas Corpus," was read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The engrossed Bill, entitled "An act to amend an act to reduce into one the several acts concerning Executions, and for the relief of Insolvent Debtors," was read the third time.

Mr. Burnet moved to amend the Bill, by way of rider, as follows, viz:

In the second section, tenth line, strike out *one half*, and insert *two thirds*.

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Runnels.

Ordered, That the said Bill lie on the table.

The House, according to the order of the day, resolved itself into a committee of the whole house on the Bill, entitled "An act to amend an act, for the punishment of Crimes and Misdemeanors ;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cooper reported that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Cooper,

Resolved, That the said report be received.

On motion of Mr. Metcalfe,
 Ordered, That the said Bill be engrossed, and made the
 order of the day for its third reading for to-morrow.
 And then the House adjourned.

FRIDAY, 10th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Daugherty presented a petition from Lewis P. Leeland, praying compensation as a witness in a prosecution.

Which was read: And,

On motion of Mr. Cleveland,

Ordered, That the same be referred to the committee of Propositions and Grievances.

Mr. Runnels presented a petition from John Foster, junior, praying a law may pass in his favor, for the payment of services as a witness in a criminal prosecution; which was read, and referred to the Committee of Claims.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had presented to His Excellency, the Governor, for his approbation and signature, the following Bill and Memorial, viz:

“An act making appropriations for the Natchez Hospital.”
 And, “A memorial to Congress in relation to the Natchez Hospital.”

Mr. Hurst, from the Committee of Propositions and Grievances, reported, to wit: “That the petition of Jacque Andre, praying a law to pass to emancipate a mulatto child,” ought not to be allowed.

Mr. Hurst moved that the House concur in the said report.

And the question thereon being taken,

It was determined in the negative.

Mr. Runnels called for the order of the day on the Bill, entitled “An act to repeal a certain act and parts of acts therein named, and for other purposes.” The question upon the passage of said Bill, being under consideration:

Mr. Cleveland moved that the Bill be re-committed to a select committee.

And the question thereon being taken,

It was resolved in the affirmative.

And Messrs. Cleveland, Burnet, Metcalfe, Runnels and Burton were appointed.

Mr. Smith, according to notice given, asked for and obtained leave to bring in a Bill, “to incorporate the town of Jackson;”

Which was read the first time; and, with leave of the House, was read the second time forthwith.

On motion of Mr. Smith,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to-morrow.

A Message from the Senate, by Mr. William A. Old, their Secretary *pro. tem.*

MR. SPEAKER,

The Senate have appointed William A. Old, their Secretary, *pro. tem.*

And then he withdrew.

The House according to leave, again resolved itself into a committee of the whole house on the Bill, "to regulate the proceedings in suits at Law and in Chancery;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Daugherty reported, that the committee had had the said Bill under consideration, had made further progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Daugherty,

Resolved, That the said report be received and agreed to.

Ordered, That the Clerk inform the Senate that the House of Representatives is now ready to receive the Senate in the Representative Chamber, for the purpose of going into the election of a Senator to Congress, and other officers named in a joint resolution of the two houses.

The Clerk having performed that duty, the Senate came into the Representative Chamber and took the seats assigned to them, and the two Houses proceeded in said election.

The votes were as follow, viz:

For Senator to Congress, they were for *Thomas H. Williams*,
SENATORS.

Mr. Anderson,
Barry,
Brown,
Calvit,
M'Kay,

Mr. Norton,
Regan,
Sessions,
Scott,
Spencer—10.

REPRESENTATIVES.

Mr. Speaker,
Ard,
Burnet,
Burton,
Cleveland,

Mr. Hurst,
Hinds,
Jones,
Liddell,
Lang,

Cooper,
Cage,
Dougherty,
Dickson,
Davidson,
Fox,
Gibson,
Gordon,
Guice,
Graves,

Metcalfe,
McLeod,
Runnels,
Reese,
Reed,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams,—30.

Whereupon—

The President of the Senate announced to the two Houses, that Thomas H. Williams was constitutionally elected a Senator to the Congress of the United States, to serve six years from and after the fourth day of March next.

For Judge of the Supreme Court and Judge of the first Judicial District, as follow, viz:

For Richard Stockton, junior.

SENATORS.

Mr. Anderson,
Brown,
Calvit,
Norton,

Mr. Regan,
Sessions,
Scott, 7.

REPRESENTATIVES.

Mr. Speaker,
Burnet,
Cage,
Daugherty,
Davidson,
Fox,
Gibson,
Gordon,
Guice,

Mr. Graves,
Hurst,
Hinds,
Jones,
Liddell,
Metcalfe,
Selcer,
Snodgrass, 17.

24.

For Thomas A. Willis, for the same office.

SENATORS.

Mr. Barry,
M'Kay,

Mr. Spencer, 3.

REPRESENTATIVES.

Mr. Ard,
Burton,
Cleveland,
Cooper,
Dickson,

Mr. Runnels,
Reese,
Reed,
Robinson,
Smith,

Lang,
M'Leod,

Williams,
13.

16.

Whereupon—

The President of the Senate announced to the two Houses, that Richard Stockton, junior, was duly and constitutionally elected one of the Judges of the Supreme Court and Judge in and for the first Judicial District of the State.

For District Attorney for the first Judicial District, the votes were as follow, viz:

For Walter M. Denny.

SENATORS.

Mr. Calvit, Mr. Sessions,
Regan, Scott,—4

REPRESENTATIVES.

Mr. Speaker, Mr. Guice,
Burnet, Hinds,
Cage, Liddell,
Gibson, Metcalfe,
Gordon, —9.

13.

For Felix H. Walker, for same office.

SENATORS.

Mr. Anderson, Mr. McKay,
Barry, Norton,
Brown, Spencer,—6

REPRESENTATIVES.

Mr. Ard, Mr. Lang,
Burton, McLeod,
Cleveland, Runnels,
Cooper, Reese,
Dougherty, Reed,
Dickson, Robinson,
Davidson, Smith,
Fox, Selcer,
Graves, Snodgrass,
Hurst, Williams,—21.
Jones, —
27.

Whereupon—

The President of the Senate announced to the two Houses, that Felix H. Walker, was duly and constitutionally elected District Attorney of the first Judicial District.

For District Attorney for the fourth Judicial District, the final votes were as follows, viz:

For Richard P. Creagh.

SENATORS,

Mr. Andrson,	Mr. Barry,
Brown,	Spencer,,—4.

REPRESENTATIVES

Mr. Ard,	Mr. Graves,
Burton,	Jones,
Cleveland,	Lang,
Cooper,	Runnels,
Cage,	Reed,
Dickson,	Robinson,
Davidson,	Smith,
Fox,	Selcer,
Guice,	Williams,—18.

22.

For Isaac R. Nicholson, for same office.

SENATORS.

Mr. Calvit,	Mr. Regan,
McKay,	Sessions,
Norton,	Scott,—6.

REPRESENTATIVES.

Mr. Speaker,	Mr. Liddell,
Dougherty,	Metcalf,
Gibson,	McLeod,
Gordon,	Reese,
Hinds,	Snodgrass.—10.

16.

For William Cock.

Mr. Burnet,	Mr. Hurst.—2.
Whereupon—	

The President of the Senate announced to the two Houses, that Richard P. Creagh, was duly and constitutionally elected District Attorney for the fourth Judicial District.

For Judge of Probate for Franklin County, viz.

For John Cameron, as follow.

SENATORS.

Mr. Barry,	Mr. Regan,
Brown,	Spencer,
Calvit,	Sessions,
McKay,	Scott,
Norton,	—9.

REPRESENTATIVES.

Mr. Speaker,	Mr. Guice,
Burnet,	Gibson,
Cleveland,	Hinds,
Cage,	Metcalf,
Dougherty,	Selcer,
Dickson,	Snodgrass,
Gordon,	13.

 22.
*For Peter McIntire, for the same office.***SENATORS.**

Mr. Anderson,	1.
---------------	----

REPRESENTATIVES.

Mr. Ard,	Mr. Lang,
Cooper,	McLeod,
Davidson,	Runnels,
Fox,	Reese,
Graves,	Reed,
Hurst,	Robinson,
Jones,	Smith,
Liddell,	Williams.—16.

 17.

Whereupon—

The President of the Senate announced to the two Houses, that John Cameron was duly and Constitutionally Elected Judge of Probate for the county of Franklin.

For Associate Justice of the County Court of Warren county, as follows viz :

*For Russel Smith.***SENATORS,**

Mr. Anderson,	Mr. Norton,
Barry,	Regan,
Brown,	Sessions,
Calvit,	Scott,
McKay,	Spencer.—10.

REPRESENTATIVES.

Mr. Speaker,	Mr. Hinds,
Ard,	Jones,
Burnet,	Lang,
Cleveland,	Liddell,
Cooper,	Metcalf,
Cage,	McLeod,
Dougherty,	Runnels,
Dickson,	Reese,

Davidson,
Fox,
Gibson,
Gordon,
Guice,
Graves,
Hurst,

Reed,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams —29,
——
39.

Whereupon—

The President of the Senate announced to the two Houses, that Russel Smith, was duly and Constitutionally Elected Associate Justice for the County Court of Warren county.

And then the Senate withdrew.

Mr. Hurst presented an account of James Smith, Adjutant General, of \$16 75, for postage ; which was referred to the committee of claims.

On motion of Mr. Dougherty,
The house adjourned till 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The Bill from the Senate, entitled “ An act to authorize the Administrator of Jephtha Ginn, of Pike county, deceased, to sell real Estate ;” was read the third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The engrossed Bill, entitled “ An act, to extend the jurisdiction and powers of the County Court, in and for the county of Monroe, and for other purposes ;”

Was read the third time.

Mr. Williams moved to amend the said Bill by way of rider, in the first section, by striking out the word *twenty*, and inserting in lieu thereof the word *fifty* ;

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Metcalfe moved further to amend the said Bill by way of rider, by adding the following as new sections, to wit :

Be it further enacted, That suits shall be commenced. put at issue and tried in the same manner and according to the same rules of proceeding, existing in the Circuit Court of said county of Monroe ; and if either party shall be dissatisfied with any judgment rendered in said County Court for an amount exceeding fifty dollars exclusive of costs, he she or they may appeal during the term of said County Court, or within

three days thereafter, at which such judgment is rendered, to the next term of the Circuit Court of said county, and the trial of such case in the Circuit, shall be de novo.

Be it further enacted, That any party appealing according to the provisions of this act, shall enter into bond with security in double the amount of the judgment appealed from, payable to the adverse party; conditioned for the prosecution of such appeal to effect, and in case of failure, to satisfy the judgment of the said Circuit Court in such appeal.

And be it further enacted, That if any defendant shall appeal, and the judgment of the County Court shall be affirmed in whole or in part, the defendant shall pay besides the judgment, interests and costs for which the judgment is so affirmed, ten per centum damages on that amount.

And the question thereon being taken,
It was determined in the negative.

On motion of Mr. Metcalfe,

The blank in said amendment was filled with the word *ten*.

The question then recurred on the passage of the Bill, as amended, and passed in the affirmative.

By Yeas and Nays, called for by Mr. Cleveland, and two other members.

Those who voted in the affirmative, are :

Mr. Speaker,	Mr. Hurst,
Cage,	Liddell,
Dougherty,	Lang,
Dickson,	Metcalfe,
Fox,	Smith,
Gordon,	Snodgrass,
Guice,	Williams.—14.

Those who voted in the negative, are :

Mr. Cleveland,	Mr. Runnels,
Cooper,	Reese,
Davidson,	Reed,
Gibson,	Robinson,
Graves,	Selcer,
McLeod.	11.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The House again, according to the order of the day, resolved itself into a committee of the whole house on the Bill, entitled "An act to regulate the proceedings in suits at Law, and in Chancery;"

And after some time spent therein,
Mr. Speaker resumed the chair,

And Mr. Dougherty reported, that the committee had again had the said Bill under consideration, had made further progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Dougherty,

Resolved, That the said report be received and agreed to.

Mr. Cage submitted the following resolution:

Resolved, That with the concurrence of the Senate, the two Houses will on Thursday next, the 16th instant, adjourn *sine die*.

Which was read, and ordered to lie on the table.

Mr. Fox gave notice, that on to-morrow he will ask for leave to introduce a Bill, entitled "An act to repeal an act entitled "An act to amend an act to incorporate the town of Monticello;"

Also, a Bill "to create a salary to the adjutant general of this State "

The farther orders of the day were postponed.

And then the House adjourned.

SATURDAY, 11th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Snodgrass presented the petition of sundry Trustees of the Church in Washington; which was read and referred to a select committee.

And Messrs. Snodgrass, Guice and Daugherty were appointed.

Mr. Dickson, from the committee of revised and unfinished business, reported a petition of Ezekiel Newman; which was read, and referred to the same select committee above appointed.

Mr. Hurst, from the Committee of Propositions and Grievances, reported a Bill, entitled "An act for the relief of Samuel C. Wooldridge, Joseph Winn, and others." Which was read the first time; and, with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for Monday next.

Mr. Gibson, from the select committee to whom was referred the Bill to extend the limits of Warren County, reported a Bill, entitled "An act farther to extend the limits of

Warren county, and to designate the boundary lines of the same:" Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Gibson,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for Monday next

A Message from the Senate, by Mr. Old, their Secretary, *pro tem.*

MR. SPEAKER,

The Senate have elected William A. Old their Secretary, to fill the vacancy occasioned by the resignation of Thomas A. Willis, Esquire.

And then he withdrew.

Mr. Cleveland, from the select committee to whom was recommitted the engrossed Bill, entitled "An act to repeal a certain act and parts of acts therein named, and for other purposes," reported a Bill of the same title; and also, a Bill in place thereof.

The Bill first above reported being read, and also the substitute—

Mr. Runnels moved, that the House receive said Bill, to operate as a rejection of the substitute.

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Runnels moved, that the Rule be dispensed with, and that the said Bill be read the second time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The Bill was read the second time.

On motion of Mr. Runnels,

Resolved, That the Rule be farther dispensed with, and that the said Bill be engrossed for its third reading, and made the order of the day for this day.

Mr. Burnet, from the select committee to whom was referred the petition of David D. Downing, reported a Bill, "to authorize the executor of the last will and testament of Claiborne Harris, deceased, to sell real estate:"

Which was read the first time; and with leave of the House, was read the second time forthwith.

On motion of Mr. Burnet,

Ordered, That the said Bill be engrossed and made the order of the day for its third reading on Monday next.

Mr. Burnet, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act to incorpo-

rate the Trustees of Centre Meeting-House and Academy, in Claiborne County;"

Which was read the first time; and, with leave of the House, was read the second time forthwith.

On motion of Mr. Burnet,

Ordered, That the said Bill be engrossed, and made the order of the day for its third reading for Monday next.

Mr. Smith, from the select committee appointed on the subject of a division of Hinds County, reported a Bill, entitled "An act to divide the County of Hinds, and form a new county out of the same;" Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Smith,

Ordered. That the said Bill be referred to a Committee of the whole House, and made the order of the day for Monday next.

Mr. Smith, from the committee to whom was referred the report of the commissioners appointed to clear out the Big Black River, reported a Bill, entitled "An act making further appropriation for opening and clearing out the Navigation of Big Black;" Which was read the first time

Mr. Burton moved, that the said Bill be rejected.

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Smith, from the select committee appointed to inquire into the expediency of amending the act in relation to the County Courts. reported a Bill, entitled "An act to amend "An act concerning the establishment, jurisdiction and powers of Inferior Courts of Law in the several counties of this State;"

Which was read the first time; and with leave of the House, was read the second time forthwith.

Mr. Runnels moved, that the said Bill be referred to a committee of the whole House, and made the order of the day for Tuesday next.

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Burton,

Ordered, That the said Bill be referred to a select committee.

And Messrs. Burton, Smith, and Burnet were appointed.

Mr. Burton, from the joint committee on Highways, Ferries and Bridges, reported a Bill, entitled "An act to amend an act concerning Highways, Ferries and Bridges;"

Which was read the first time, and with leave of the House. was read the second time forthwith.

On motion of Mr. Burton,

Ordered That the said Bill be referred to a committee of the whole house, and made the order of the day Tuesday next.

The engrossed Bill, entitled "An act to repeal a certain act and parts of act therein named, and for other purposes;"

Was read the third time.

Mr. Cleveland moved to amend the Bill by way of rider, as follows, viz. Insert the following section, in lieu of the first section in the Bill, after the enacting clause, "that the second section of the act to establish a literary fund and for the encouragement and support of education in this State, approved November 26th 1821, be and is hereby repealed, *Provided:* That nothing herein contained shall prevent the collection of any tax which has already been assessed on any taxable inhabitant of this State, or on the property of non-residents, but it shall be the duty of all assessors and collectors, to collect the same and pay it into the Treasury of the state as if this act had not been passed."

Mr. Metcalfe moved to amend the said amendment as follows, viz. "and strike out the third section of the Bill."

And the question thereon being taken,

It was determined in the negative.

The question then recurred on the amendment by way of rider, as proposed by Mr. Cleveland.

And the question being put,

It was determined in the negative.

The question then recurred on the passage of the Bill, and passed in the affirmative.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Guice gave notice that he will on Monday next, ask for leave to bring in a Bill, "to appropriate certain fines and forfeitures therein named."

Mr. Fox, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act to re-establish the salary of the adjutant General;"

Which was read the first time.

And with leave of the House, the said Bill was read the second time forthwith.

On motion of Mr. Fox,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for Monday next.

Mr. Burnet, from the committee to whom was referred the Bill, respecting the county lines of the State, reported a Bill,

entitled "An act to amend an act entitled An act to define the boundaries of the several counties of this State ;"

Which was read the first time.

On motion of Mr. Hurst,

Ordered, That the said Bill lie on the table.

Mr. Metcalfe asked for and obtained leave to bring in a Bill, entitled " An act to emancipate Maria Louisa, a person of colour ;"

Which was read the first time,

And with leave of the House, the said Bill was read the second time forthwith

Mr. Burnet moved to amend the Bill, as follows, viz: at the end of the Bill add "and on the further condition that the said Andre pay into the State Treasury ——— dollars for State purposes."

And the question thereon being taken,
It was determined in the negative.

On motion of Mr. Metcalfe,

Ordered, That the said Bill be engrossed, and read the third time on Monday next.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill from the House of Representatives, entitled "An act for the relief of Dillard Collins."

They have also passed a Bill, entitled "An act to divide the Militia of the county of Monroe, into two Regiments,"

In which Bill they desire the concurrence of the House of Representatives.

Also, a Bill entitled " An act to alter the boundary line between the counties of Green and Jackson."

A Bill, entitled " An act supplemental to an act entitled An act concerning the appointment, jurisdiction and powers of Justices of the Peace within this State."

And " An act amendatory to an act entitled An act concerning the Attorney General and District Attorneys."

In which Bills they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr Speaker laid before the house a farther report from the Auditor of Public Accounts, communicating certain accounts.

Which was read, and with the accompanying documents, referred to the Committee of Claims.

On motion of Mr. Cleveland,

Ordered, That the order of the day on the Bill, entitled "An act to regulate proceedings at Law and in Chancery ;" lie on the table.

The engrossed Bill, entitled "An act to amend an act for the punishment of Crimes and Misdemeanors ;"

Was read the third time.

Mr. Gibson moved to amend the said Bill by way of rider, of follows, viz : add the following section.

SECT. ——— *And be it further enacted,* That the fifty fourth section of An act entitled "An act for the punishment of crimes and misdemeanors," be and the same is hereby repealed, and that all fines and penalties for the violation of any penal statutes shall be assessed by the jury trying the same."

And the question thereon being taken,

It was determined in the negative.

By yeas and nays, called for by Mr. Gibson and two other members.

Those who voted in the affirmative, are,

Mr. Cooper,	Mr. Runnels,
Dickson,	Reed,
Fox,	Robinson,
Gibson,	Smith,
Gordon,	Williams.
Hurst,	11.

Those who voted in the negative, are,

Mr. Speaker,	Mr. Graves,
Burnet,	Hinds,
Burton,	Jones,
Cleveland,	Metcalfe,
Cage,	McLeod,
Dougherty,	Reese,
Davidson,	Selcer,
Guice,	Snodgrass,—16.

On motion of Mr. Burton,

Ordered, That the House adjourn till 3 o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The question upon the passage of the Bill, last above named being under consideration.

On motion of Mr. Burton,

Ordered, That the said Bill lie on the table.

The Bill, entitled "An act for the emancipation of certain slaves therein named,"

Was read the second time.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for Tuesday next.

The engrossed Bill, entitled "An act to change the name of the County Seat of the County of Franklin," was read the third time.

Mr. Jones moved, that the further consideration of the said Bill be postponed indefinitely.

And the question thereon being taken,

It was determined it the negative.

The question then recurred on the passage of the Bill, and was determined in the negative, by yeas and nays, called for by Mr. Robinson, and two other members.

Those who voted in the affirmative, are,

Mr. Speaker,
Gibson,
Gordon,
Guice,
Graves,
Lang,

Mr. McLeod,
Reed,
Robinson,
Smith,
Williams,

—11.

Those who voted in the negative, are,

Mr. Burnet,
Burton,
Cleveland,
Cooper,
Cage,
Dougherty,
Dickson,
Davidson,
Fox,

Mr. Hurst,
Hinds,
Jones,
Liddell;
Metcalf,
Runnels,
Reese,
Selcer,
Snodgrass,—18.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, from the House of Representatives, entitled "An act, to allow the Judges of Probate to grant Writs of *Habeas Corpus*," with sundry amendments thereto"—In which they desire the concurrence of the House of Representatives.

Also, "An act, to authorize Susana Jones, to convey real estate."

They have passed a Resolution, addressed to our Senators and Representative in Congress.

The Senate have also passed a Resolution, that the two Houses will adjourn, *sine die*, on Saturday the 18th instant—In which Resolutions, they desire the concurrence of the House of Representatives.

And then he withdrew.

The Bill from the Senate, entitled "An act, to divide the Militia of Monroe County, into two Regiments "

Was read the first time; and with leave of the House, was read the second time forthwith

Mr. Fox moved, that the rule be farther dispensed with, and that the Bill be read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The Bill from the Senate, entitled "An act to alter the boundary line between the Counties of Green and Jackson,"

Was read the first time,

And with leave of the House,

Was read the second time forthwith.

On motion of Mr. Runnels.

Ordered, That the same lie on the table.

The Bill from the Senate, entitled "An act, supplemental to an act entitled An act, concerning the appointment, jurisdiction and powers of Justices of the Peace, within this State,"

Was read the first time,

Mr. Runnels moved, to dispense with the rule, and that the said Bill, be read the second time forthwith.

And the question thereon being taken.

It was determined in the negative.

Mr. Metcalfe moved, to reject the said Bill

And the question thereon being taken,

It was determined in the negative.

By yeas and nays, called for by Mr. Smith and two other members.

Those who voted in the affirmative, are,

Mr. Speaker,

Mr. Hinds,

Burnet,

Liddell,

Cage,

Lang,

Dougherty,

Metcalfe,

Gordon,

Selcer,

Guice,

Snodgrass.—12.

Those who voted in the negative, are,

Mr. Burton,

Mr. Jones,

Cleveland,

McLeod,

Cooper,

Runnels,

* Dickson,

Riese,

Davidson,

Reed,

Gibson,

Robinson,

Graves,
Hurst,

Smith,
Williams,—16.

The Bill from the Senate, entitled "An act, amendatory to an act, entitled "An act, concerning the Attorney General and District Attorneys," was read the first time.

The Resolution from the Senate to adjourn on Saturday, the 18th instant ; was read a second time.

On motion of Mr. Runnels,

Ordered, That the same lie on the table.

The Resolution from the Senate, " that no Bill of a public or private nature shall be introduced in either house after Monday next ;" was again read.

Mr. Runnels moved that the same lie on the table.

And the question being put,

It was determined in the negative.

Mr. Runnels moved to amend the said Resolution by striking out *Monday*, and inserting *Thursday*, and a division of the question being called for and put :

Resolved, That the word *Monday* be stricken out.

And the question to fill the blank with the word *Thursday* being put,

It was determined in the negative.

Mr. Cleveland moved to fill the blank with the word *Wednesday*.

And the question thereon being taken,

It was determined in the negative.

Mr. Fox moved that the blank be filled with the word *Tuesday*.

And the question thereon being taken,

It was resolved in the affirmative.

On motion of Mr. Metcalfe,

Resolved, That the house concur in said Resolution as amended.

Ordered, That the Clerk desire the concurrence of the Senate in said amendment.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had examined an enrolled Bill, entitled "An act for the benefit of David Fulsome and others,"

And found the same truly enrolled.

Whereupon—

Mr. Speaker signed the same.

Ordered, That the Clerk carry the same to the Senate, for the signature of the President thereof.

On motion of Mr. Burton,

Ordered, That the Adjutant General have leave to withdraw his account for postage.

Mr. Burnet gave notice, that on Monday next he will ask for leave to bring in a Bill, to be entitled "An act to change the time of the next meeting of the General Assembly."

The farther orders of the day were postponed,

And then the house adjourned till 10 o'clock, on Monday next.

MONDAY, 13th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Metcalfe presented a petition from John Forsyth, Sheriff of Adams County, praying relief for moneys by him expended for and on account of prisoners and slaves committed to jail; which was read and referred to the Committee of Claims.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed the Bill from the House of Representatives, entitled "An act to alter and amend an act, entitled "An act to reduce into one the several acts concerning Slaves, Free Negroes, and Mulattoes," with some amendments thereto; in which they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr. Metcalfe presented a petition from Daniel Greenleaf, administrator of D. Greenleaf, praying relief; which was read, and referred to the Committee of Accounts.

Mr. Burton, from the Committee of Claims, reported a Bill, entitled "An act for the relief of Laban Bacot, and to repeal parts of certain acts therein named;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Burton,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for this day.

Mr. Burton, from the Committee on Public Buildings, reported a Bill, entitled "An act supplementary to an act, entitled "An act to appoint Commissioners to locate the Lands given by the United States to this State, for a Seat of Government;" Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Burton,

Ordered, That the said Bill be referred to a committee

of the whole House, and made the order of the day for this day.

Mr. Cooper, from the select committee to whom was referred the petitions for a new county to be formed out of the counties of Lawrence and Franklin, reported, that the prayer of the petitions is unreasonable, and ought not to be granted.

On motion of Mr. Cooper,

Resolved, That the said report be received and agreed to.

Mr. Snodgrass, from the select committee to whom was referred the petition of the Trustees of the Church of Clare Creek, in the Town of Washington, and the petition of E. Newman and others, reported two Bills, one entitled "An act to incorporate the Trustees of the Baptist Church of Clare Creek, in the town of Washington;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be engrossed, for its third reading for to-morrow.

Also, another Bill, entitled "An act to emancipate Limerick, a person of colour;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Guice,

Ordered, That the said Bill be engrossed for its third reading for to-morrow.

Mr. Metcalfe presented sundry claims of Richard H. May and others; which referred to the Committee of Claims.

Mr. Guice, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act to appropriate certain fines and forfeitures therein named;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Fox, according to notice, asked for and obtained leave to bring in a Bill, entitled "An act to repeal an act, entitled "An act to amend and act to incorporate the Town of Monticello;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee

of the whole house, and made the order of the day for Wednesday next.

Mr. Metcalfe asked for and obtained leave to bring in a Bill, entitled "An act to amend an act declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Metcalfe,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for Wednesday next.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had examined the following enrolled Bills, viz:

"An act authorizing the administrator of Jephtha Ginn, deceased, of Pike County, to sell real estate.

"An act to authorize Susanah Jones to convey real estate: And,

"An act for the relief of Dillard Collins."

And found them truly enrolled.

Whereupon—

Mr. Speaker signed them.

Ordered, That the Clerk carry the same to the Senate, for the signature of the President thereof.

Mr. Burnet, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act to change the time of the next meeting of the General Assembly, and to organize the two Houses thereof;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Cage,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for Wednesday next.

The House proceeded to consider the amendments made by the Senate to the Bill, entitled "An act to alter and amend an act, entitled "An act to reduce into one the several acts concerning Slaves, Free Negroes and Mulattoes;" which being read,

Mr. Jones moved, that this House disagree to said amendments.

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

The House also proceeded to consider the amendments

made by the Senate to the Bill entitled "An act to allow the Judges of Probate to grant writs of *Habeas Corpus* ;"

On motion of Mr. Burton,

Ordered, That the same lie on the table.

The Bill entitled "An act for the relief of certain persons therein named,"

Was read the second time.

On motion of Mr. Guice,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for Wednesday next.

The Bill entitled "An act to change the name of King Picket ;"

Was read the second time.

Mr. Guice moved that the Bill be engrossed, and made the order of the day for its third reading on to-morrow.

And the question thereon being taken,

It was resolved in the affirmative.

The Bill from the Senate entitled "An act to alter and amend an act entitled An act for the better securing the payment of rents, and preventing the fraudulent practices of tenants, and to regulate the mode of suing out writs of replevin;"

Was read the second time.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for to-morrow.

The engrossed Bills, to wit :

"An act to incorporate the Harmony Society of Jefferson county ;" and

"An act for the emancipation of Negro Woman Betty ;"

Where severally read the third time and passed.

Resolved, That the titles thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The House, according to the order of day, resolved itself into a committee of the whole house on the Bill, entitled "An act for the relief of Solomon Whitley ;"

And after some time spent therein,

Mr. Speaker resumed the chair ; and

Mr. Hurst reported, That the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Smith,

Ordered, That the said report lie on the table.

Mr. Cage, from the joint committee on enrolled Bills, report-

ed a Bill truly enrolled, entitled "An act to divide the Militia of Monroe county into two Regiments."

Whereupon—

Mr. Speaker signed the same.

Ordered, That the Clerk carry the said Bill to the Senate for the signature of the President thereof.

Mr. Metcalfe called for the order of the day upon the Bill entitled "An act to establish an Interior Court of Criminal Judisdiction in and for the county of Adams;"

The report of the committee of the whole house being under consideration, which was to "strike out all the Bill after the enacting clause;"

Mr. Metcalfe moved, that the house disagree to the said report.

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Runnels moved, that the further consideration of the said Bill, be postponed indefinitely.

And the question being taken thereon,

It was determined in the negative.

By yeas and nays called for by Mr. Runnels and two other members.

Those who voted in the affirmative, are :

Mr. Burton,	Mr. Lang,
Cleveland,	McLeod,
Cooper,	Runnels,
Dickson,	Reese,
Davidson,	Robinson,
Gibson,	Williams,—12.

Those who voted in the negative, are :

Mr. Speaker,	Mr. Hurst,
Burnet,	Hinds,
Cage,	Liddell,
Daugherty,	Metcalfe,
Fox,	Reed,
Gordon,	Smith,
Guice,	Selcer,
Snodgrass,	15.

Mr. Runnels gave notice, that on to-morrow he will ask for leave to bring in a Bill entitled "An act to repeal the 120th section of an act entitled "An act to reduce into one the several acts concerning last Wills and Testaments."

Mr. Hurst gave notice, that on to-morrow he will ask for leave to bring in a Bill, to be entitled "An act to amend the act entitled "An act concerning Strays and Drovers, Horses,

Cattle and other Stock and directing Stock brands and marks to be recorded.

On motion of Mr. Smith,

Ordered, That this House adjourn till 3 o'clock, P. M.

And the House adjourned accordingly.

THREE O'CLOCK, P. M.

Mr. Burton gave notice that on to-morrow he will ask for leave to bring in a Bill, entitled "An act to change the times of holding the Circuit Courts in the third Judicial District."

Mr. Metcalfe called for the order of the day on the Bill "to establish an Inferior Court of Criminal Jurisdiction in and for Adams County."

Mr. Cleveland moved that the said Bill be re-committed to a committee of the whole house and made the order of the day for Wednesday next.

And the question thereon being taken,

It was determined in the negative.

Mr. Burnet moved, that said Bill be referred to a committee of the whole House forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The House again resolved itself into a committee of the whole House on said Bill, and after some time spent therein,

Mr. Speaker resumed the chair ; and

Mr. Fox reported, that the committee had had the said Bill under consideration, and had made some amendments thereto, which were handed in at the clerk's table.

On motion of Mr. Fox,

Resolved, That the said report be received and agreed to.

On motion of Mr. Smith,

Ordered, That the said Bill be engrossed as amended, and made the order of the day for its third reading for to-morrow.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, to be entitled "An act to change the time of holding the County Courts of Marion county ;"

In which Bill they desire the concurrence of the House of Representatives.

They have concurred in the amendment from the House of

Representatives to the Resolution relative to the introduction of new business.

They have also, passed a Bill entitled "An act prescribing the duties of clerks."

In which Bill they desire the concurrence of the House of Representatives.

The Senate have receded from their amendments to the Bill, entitled "An act to alter and amend an act, entitled 'An act to reduce into one the several acts concerning Slaves, free Negroes and Mulattoes.'"

The Senate have passed the Bill from the House of Representatives, entitled "An act for the emancipation of Negro Woman Betty."

And then he withdrew.

Mr. Cleveland moved that when this house adjourn, it will adjourn till half after 9 o'clock to-morrow morning.

And the question being put,

It was resolved in the affirmative.

The farther orders of the day were postponed,

And then the House adjourned.

TUESDAY, 14th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Burton, from the Committee of Claims, to whom was referred the account of D. C. Shaw, for holding a coroner's inquest, reported; That the law of the land provides for the payment of all legal inquests; and therefore deem it inexpedient that an act should be passed by the General Assembly for his relief.

On motion of Mr. Burton,

Resolved, That the House receive and agree to the said report.

Mr. Burnet, from the Committee of Ways and Means, made the following report, viz:

The Committee of Ways and Means, to whom was referred the subject of the Public Revenue, have had the same under consideration, and beg leave to make the following Report:

From an examination of the reports of the Auditor and Treasurer, they find that the taxes levied for the last fiscal year have been more than adequate to meet the ordinary expenses of the government during that period; and they are of opinion that the same mode and rate of taxation would be sufficient for another year; but, as a considerable sum of money

will have to be paid for the publication of the Revised Code, besides the ordinary disbursements of the government, during the present year, and the State is largely indebted to the Bank of the State of Mississippi for money borrowed, which debt ought gradually to be extinguished, they cannot think it would be expedient at this time to make any reduction of taxes. Your committee, therefore, have determined to recommend the continuance of the present law for raising a revenue, with some variations and modifications, suggested by the convenience of the people, and a just regard to an equalization of taxation throughout the State. The changes proposed, are :

That the fiscal year shall henceforward commence on the first day of January, and end on the last day of December, instead of the first day of November, in each year. The reason for such a change is obvious, and in the opinion of the committee, would be a great relief to the people in the payment of their taxes. It would give the collectors of the public revenue two months longer time for collecting, and would allow the people time to take, at least, a portion of their crops to market. Whereas by the present system, the taxes are collected before the crops are gathered and ready for market. And whenever an epidemic prevails late in the season, in the great commercial emporium on which the people chiefly depend for selling their produce, the market itself is not opened in time to raise money for the payment of taxes. The consequence is, that there is much delay, embarrassment, and some distress in the collection of taxes, which the people would be well able to pay with convenience as soon as they could take their crops to market. The committee believe that a change so advantageous to the people, may be made without any corresponding evil; and that it would be better that the General Assembly should meet early in the month of January in each year, than that the collection of the public revenue should be oppressive. The committee have prepared a bill in accordance with these views, and have therein proposed to change the periods at which the public revenue shall be paid into the Treasury, from the first of November, to the first of January; for the distress and sale of the property of delinquents, from the first of September, to the first of November; and for the transmission of lists of taxable property, from the first of July, to the first day of September. The committee also recommend the adoption of some further provisions for the better enforcement of the revenue laws.

The committee also recommend that a tax should be levied on every head of cattle above a certain number, to be sufficient for the use of any family. The reason for recommending this

is, that the committee are informed, that in some parts of the State, stock raising is a profitable business, and that people who have considerable wealth consisting of stock, do not pay an equal portion of the public burthen. But as it is not deemed expedient that stock should be generally taxed, the committee recommend that a certain number, to be adequate to all the purposes of any family, shall be exempted from taxation; that the tax may be levied only on those persons who raise numbers of cattle for market.

The Committee also recommend a small change in the classification of lands as required by justice. The present classes numbered one, two, three and four, were adopted in the year 1808. The first class comprehends all lands lying within eight miles of the City of Natchez; the second, all lands out of the first, and within fourteen miles of the Mississippi river; the third, all lands more than fourteen and less than twenty miles of said river; the fourth class, all lands more than twenty miles and west of the Eastern boundary of the State. At the time when the above classification was made, the people of the country almost universally took their produce to Natchez, for market or shipment, and there received their supplies. Steam boats had not then made places of deposit and shipment at every point along the river, to which the planters could resort for the shipment of their produce, and to receive their supplies. The lands, therefore, at that period, around Natchez, in consequence of the proximity to market, were much more valuable than those more remote from the City, whatever might be their quality or situation, and at that time the classification was equitable. But your committee are sensible that since that period, steam boat navigation has produced a great change in the value of lands along the Mississippi river, and that all lands of equal soil and situation within the same distance of the river, are nearly of equal value. Since the planters have found other points on the river, to which they could resort with more convenience to ship their produce or to receive their supplies, the owners of lands in the first class, have ceased to enjoy any peculiar advantage from their local situation, and in the meantime the lands in that class have been much deteriorated by long cultivation, and rendered less productive in the general than lands lying without that class. The committee, believing that the reason of establishing the first class has long ceased, do not consider it just that a discrimination so unequal to the land-owners in that class should be any longer continued, and therefore recommend that the first class be abolished, and become hereafter a part of the second class, and that the second class be

henceforth called the first class, the third, second, and the fourth, third, so as to have but three classes in future, instead of four as at present. This change will place all land-owners within fourteen miles of the river Mississippi on the same footing, according to the quality of their lands, and will not be attended with any considerable diminution of revenue, so as to make an increase of taxation necessary; and it is believed that the increase of population, and the additional quantity of lands which will become taxable from time to time, will more than compensate for the reduction occasioned by equalising the taxes on lands, on the borders of the Mississippi river.

And also, the following Bills, viz:

"An act to alter and amend an act, prescribing the mode of ascertaining and assessing the taxable property within this State, and for collecting the public revenue," which was read the first time, and with leave of the house, was read the second time forthwith.

On motion of Mr. Smith,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for to-morrow.

And, "An act to amend an act further to provide for the collection of fines, penalties, forfeitures and amercements;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Gibson,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for to-morrow.

On motion of Mr. Dougherty,

Resolved, By the House of Representatives, that ———— copies of the report of the committee of Ways and Means, be printed for the use of the General Assembly."

Mr. Fox moved, that the blank be filled up with the words, *two hundred and fifty*.

And the question thereon being taken,

It was determined it the negative.

Mr. Runnels moved, the number 300—and 250; which was severally disagreed to.

Mr. Cleveland moved, that the said Resolution lie on the table.

And the question thereon being taken.

It was determined in the negative.

On motion of Mr. Gibson,

Ordered, That the said blank be filled up with the words *two hundred*.

Mr. Runnels, from the committee to whom was referred the subject of Inns, Taverns and Tippling Houses; reported a Bill, entitled "An act, to repeal certain sections of an act entitled "An act, to reduce into one the several acts regulating Inns, Taverns, and Houses of private entertainment, and for the restraint of tippling houses;"

Which was read the first time; and, with leave of the House, was read the second time forthwith.—when,

On motion of Mr. Williams,

Ordered, That the said Bill be re-committed to the same committee who reported it.

On motion of Mr. Runnels,

Ordered, That Messrs. Cleveland and Burton, be added to the said Committee,

Mr. Gibson asked for and obtained leave to bring in a Bill, entitled "An act, to amend certain acts therein named;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

Mr. Dougherty moved, that the said Bill, lie on the table.

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Dougherty, from the select committee to whom was referred, a petition in relation to School Lands, reported a Bill, entitled "An act, to appropriate the rent of the School Lands;"

Which was read the first time; and, with leave of the House, was read the second time forthwith.

On motion of Mr. Dougherty,

Ordered, That the said Bill be engrossed for its third reading on Tuesday next.

Mr. Dougherty, from the select committee to whom was referred the petitions of John Glover and others, reported a Bill entitled "An act, for the relief of Hugh Moore and others;"

Which was read the first time; and with leave of the House, was read the second time forthwith.

Mr. Burton moved, that the said Bill be referred to the committee of accounts.

And the question hereon being taken,

It was resolved in the affirmative.

Mr. Hurst, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act, to amend the

act, entitled "An act, concerning Strays and Drovers, Horses, Cattle and other Stock, and directing stock brands and marks, to be recorded;" which was read the first time.

Mr. Cleveland moved, that the said Bill be rejected.

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Hurst, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act, to prevent the importation of slaves and indented persons, into this State for sale;" which was read the first time.

Mr. Cage moved to reject said Bill.

And the question thereon being put,

It was determined in the negative.

On motion, the rule was dispensed with, and the said Bill, was read the second time forthwith.

On motion of Mr. Hurst,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Liddell, from the committee of accounts, reported a Bill, entitled "An act, making appropriations for certain persons therein named;" which was read the first time.

Mr. Burnet presented an account of James Cornell, which was referred to the committee of accounts.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had presented to the Governor, for his approbation and signature, the following Bills, to wit:

"An act for the benefit of David Fulsome and others."

"An act to authorize Susannah Jones to convey real estate."

"An act to divide the Militia of Monroe county into two Regiments."

"An act authorizing the Administrator of Jephtha Ginn deceased, of Pike county, to sell real estate;" and,

"An act for the relief of Dillard Collins;"

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, entitled "An act to emancipate Hannah Brooks, a person of Colour."

In which Bill they desire the concurrence of the House of Representatives.

Four several communications from the Governor, by Mr. Patrick, his private Secretary, viz :

To the General Assembly.

I herewith transmit to the General Assembly, a statement of the disbursements of the contingent fund for the year 1822

WALTER LEAKE.

Jackson. January the 13th, 1823.

To the General Assembly.

It is believed that, the act of the General Assembly, entitled "An act declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereon;" Approved June the 30th, 1822, has repealed an act passed in January 1818, making a permanent appropriation of fifteen hundred dollars *per annum* for contingent expences of the Executive Department, &c. I therefore, respectfully recommend to the General Assembly, the passage of a law to revive the act of 1818, in relation to that subject.

WALTER LEAKE.

Jackson, January the 13th, 1823.

To the House of Representatives

In compliance with a resolution of the House of Representatives, requesting me to lay before that house, "such information as I may possess relative to the improving and opening the navigation of the Big Black and Pearl Rivers, and what contingent sum now remains, if any, of said appropriation." I have to state that no report of the progress, or expenditures of the said work, has been made to me by the Commissioners for opening the navigation of either of those Rivers. I am unable to give the House of Representatives any satisfactory information on that subject. It has been stated to me by the Treasurer, that the Commissioners for opening the navigation of the Big Black, have drawn from the Treasury fifteen hundred dollars, the whole of the sum appropriated for that River, and that the Commissioners for opening the navigation of Pearl River, have drawn three thousand dollars, leaving yet in the Treasury one thousand dollars, the remaining part of the appropriation for that River.

This communication has been delayed some time, with an expectation that a report of the commissioners for opening the navigation of the Big Black, in relation to the work done, and the amount of money yet on hand, would be received, which I have been informed has been forwarded, but has not as yet come to hand.

WALTER LEAKE.

Jackson, January 13th, 1823.

To the General Assembly:

I herewith transmit to the General Assembly, a report and resolutions of the Legislature of the State of South Carolina, in relation to an amendment of the Constitution of the United States, proposed by the State of Pennsylvania, in the follow-

ing words, to wit: That "Congress shall make no law to erect or incorporate any bank, or other monied institution, except within the District of Columbia; and every bank, or other monied institution, which shall be established by the authority of Congress, shall, together with its branches, and offices of discount and deposit, be confined to the District of Columbia."

The reasons against such an amendment are so obvious and strong, that they will readily occur to the General Assembly. I would therefore respectfully recommend to the General Assembly, to disagree to the proposed amendment.

WALTER LEAKE.

Jackson, Jan'y 13th, 1823.

STATE OF SOUTH CAROLINA,
Executive Department,
Charleston, April 13th, 1822. }

His Excellency, the Governor of the State of Mississippi.

SIR—Pursuant to the second resolution hereto annexed, and for the purpose therein stated, I transmit to you the enclosed report and resolutions upon the amendment of the Constitution of the United States, proposed by the State of Pennsylvania. I have the honor to be, your obedient servant,

THO. BENNETO.

In the House of Representatives, December 11, 1821.

"The Special Committee, to whom were referred the resolutions from the several States of Pennsylvania, Ohio, New-Jersey, Vermont and Illinois, beg leave to report, that they have had the same under their consideration, and find that the State of Pennsylvania, by its resolution, has proposed an amendment to the Constitution, in the words following, to wit: That "Congress shall make no law to erect or incorporate any bank, or other monied institution, except within the District of Columbia; and every bank, or other monied institution, which shall be established by the authority of Congress, shall, together with its branches, and offices of discount and deposit, be confined to the District of Columbia," in which that State requests the concurrence of her sister States: That the States of Ohio and Illinois have concurred with Pennsylvania in the proposed amendment; and that the States of Vermont and New-Jersey have disagreed thereto. Your committee are unanimously of opinion, that as Congress is constitutionally vested with the right to incorporate a bank, it would be unwise and impolitic to restrict its operations within such narrow limits as the District of Columbia. They apprehend no danger from the exercise of the powers, which the people of the

United States have confided to Congress; but believe, that in the exercise of these powers, that body will render them subservient to the great purposes of our national compact. Your committee, therefore, beg leave to recommend to this House, the following resolutions:

Resolved, That the Legislature of the State of South-Carolina, do not concur in the amendment of the Constitution, proposed by Pennsylvania, in the following words: "Congress shall make no law to erect or incorporate any bank, or other monied institution, except within the District of Columbia; and every bank, or other monied institution, which shall be established by the authority of Congress, shall, together with its branches, and offices of discount and deposit, be confined to the District of Columbia."

Resolved, That the Governor of this State be requested to transmit copies of the foregoing resolution, to the Executives of the several States, with a request, that they lay the same before the Legislatures thereof.

Resolved, That the House do agree to the report.

Ordered, That it be sent to the Senate for concurrence.

By order of the House.

R. ANDERSON, C. H. R.

In the Senate, December 12th, 1821.

Resolved, That this House do concur with the House of Representatives, in the foregoing report.

Ordered, That the report be returned to the House of Representatives.

By order the Senate.

"WM. D. MARTIN, C. S."

Which were severally read.

On motion of Mr. Metcalfe,

Ordered, That so much of the said communications as refers to the contingent fund be referred to the committee of accounts.

On motion of Mr. Burton,

Ordered, That the above communication relating to the improving the navigation of Pearl and Big Black Rivers be referred to a select committee.

And Messrs. Gibson, Runnels and Burton were appointed.

On motion of Mr. Metcalfe,

Ordered, That the above said communication relating to the communication received from the Governor of South Carolina, on the subject of amending the Constitution of the United States, be referred to a select committee.

And Messrs. Metcalfe, Burton and Burnet, were appointed.

Mr. Burton called for the order of day on the Bill, entitled "An act supplementary to an act to appoint commissioners to locate the Lands given by United States to this State for a Seat of Government ;" and the House agreeing to consider the same:

The House, according to the order of the day, resolved itself into a committee of the whole House, on said Bill,

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Burnet reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Burton,

Resolved, That the said report be received and agreed to.

Mr. Burton moved that the rule be dispensed with, that the said Bill be considered as engrossed, and read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed.

Resolved, That the title thereof be as stated.

Mr. Burton, also called for the order of the day on the Bill, entitled "An act for the relief of Laban Bacot, and to repeal parts of certain acts therein named;"

Whereupon—

The House, according to the order of the day, resolved itself into a committee of the whole house on said Bill, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cage reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Burton,

Resolved, That the said report be received and agreed to.

Mr. Burton moved, that the rule be dispensed with, that the Bill be considered as engrossed, and read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate on said Bills.

Mr. Smith called for the order of the day on the Bill, entitled

"An act to allow Judges of Probate to grant writs of Habeas Corpus;" the amendments made by the Senate thereto, being under consideration.

Mr. Metcalfe moved to amend the said amendments as follows, viz:

In the sixth line from the top, after *Chief Justices* insert the words "of the several counties," and in the 7th line from the top, strike out after the word *Probate*, these words, viz: "of the several County Courts;"

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on concurring in the amendments made by the Senate as amended;

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the clerk inform the Senate thereof, and desire their concurrence in said amendment.

On motion of Mr. Runnels,

The House adjourned till 3 o'clock P. M.

THREE O'CLOCK, P. M.

Mr. Cooper asked for and obtained leave to bring in a Bill, entitled "An act, to designate the place of meeting of the Supreme and Chancery Courts;"

Which was read the first time; and with leave of the House, was read the second time forthwith.

On motion of Mr. Smith,

Ordered, That the said Bill be referred to a Committee of the whole House, and made the order of the day for tomorrow.

Mr. Burton, according to notice given, asked for and obtained leave to bring in a Bill, entitled "An act to change the times of holding Courts in the third Judicial District;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Burton,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for Tuesday next.

Mr. Dougherty asked for, and obtained leave to bring in a Bill, entitled "An act to authorize the Commissioners of Roads of Adams County to purchase the toll bridge over St. Catharine's Creek, for the use of said county;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day on Thursday next

The engrossed Bill, entitled "An act to establish an Inferior Court of Criminal Jurisdiction, in and for the County of Adams;" was read the third time and passed in the affirmative, by yeas and nays; called for by Mr. Burton and two other members.

Those who voted in the affirmative, are,

Mr. Speaker,	Mr. Hinds,
Burnet,	Jones,
Cage,	Liddell,
Dougherty,	Metcalf,
Fox,	Reed,
Gordon,	Smith,
Guice,	Selcer,
Hurst,	Snodgrass,—16.

Those who voted in the negative, are,

Mr. Burton,	Mr. Lang,
Cleveland,	McLeod,
Cooper,	Runnels,
Dickson,	Reese,
Davidson,	Robinson,
Gibson,	Williams.
Graves,	

13.

Mr. Cleveland moved to amend the title of said Bill, by inserting the word *Concurrent*, preceding the word *Jurisdiction*.

And the question being put,

It was determined in the negative.

The question then recurred on the title as stated,

And resolved in the affirmative.

Ordered, That the Clerk desire the concurrence of the Senate therein.

On motion of Mr. Hurst,

Ordered, That Mr. Jones have leave of absence from the service of this House, for the remainder of the session.

Mr. Dickson called for the order of the day on the Bill from the Senate, entitled "An act to alter the boundary line between the counties of Green and Jackson;" which was read the third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The House, according to the order of day, resolved itself

into a committee of the whole house, on the Bill "for the emancipation of certain slaves therein named;"

And after some time spent therein,

Mr. Speaker resumed the chair; and

Mr. Cleveland reported, That the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Cleveland,

Resolved, That the said report be received and agreed to.

On motion of Mr. Williams,

Ordered, That the said Bill be engrossed, and made the order of the day for its third reading for to-morrow.

Mr. Smith asked for and obtained leave to bring in a Bill, entitled "An act to emancipate certain slaves therein named;"

Which was read the first time.

Mr. Smith, from the committee appointed to inquire into the expediency of laying off roads from Jackson to Natchez, and other points within the State, reported a Bill, entitled "An act to appoint commissioners to lay out and mark certain roads therein named;"

Which was read the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed Bill, entitled "An act, to change the name of King Pickett," was read the third time and passed, with the title as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Burton asked for and obtained leave to bring in a Bill, entitled "An act to repeal an act to establish a Court of Chancery in this State, and to prescribe the rules of proceeding therein,"

Which was read the first time.

The farther orders of the day were postponed.

And then the House adjourned.

WEDNESDAY, 15th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Davis, a member from the County of Jackson, appeared, produced his credentials and took his seat.

Mr. Cage, from the joint committee on enrolled Bills, reported that the committee had examined the following enrolled Bills, to wit:

"An act, to alter and amend an act, entitled An act to reduce into one the several acts concerning Slaves, free Negroes and 'Mulattoes;' and,

"An act for the emancipation of Negro Woman Betty;" and found them truly enrolled.

Whereupon—

Mr. Speaker signed the same.

Ordered, That the Clerk carry the said Bill to the Senate for the signature of the President thereof.

Mr. Hurst, from the committee of propositions and grievances, reported that the Petition of Lewis P. Leland, is unreasonable and ought not to be allowed; also, the petition of James T. Lewis, is unreasonable and ought not to be allowed.

Mr. Burton, from the committee of claims, reported that the claim of W. F. Walker, is just and ought to be allowed.

Also, that the claim of Richard H. May, is just and ought to be allowed.

Resolved, That the House agree to the report.

On motion of Mr. Burton,

Ordered, That the said claims be referred to the committee of accounts.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, from the House of Representatives, entitled "An act for the relief of Laban Bacot, and to repeal parts of certain acts therein named."

They have concurred in the amendments, made by the House of Representatives to the amendments made by the Senate to the Bill, entitled "An act to allow the Judges of Probate to grant writs of *Habeas Corpus*."

They have passed the Bill from the House of Representatives, entitled "An act to extend the power and jurisdiction of the County Court in and for the County of Monroe, and for other purposes," with amendments thereto. In which amendments, they desire the concurrence of the House of Representatives.

They have also passed the Bill from the House of Representatives, entitled "An act to repeal certain acts and parts of acts therein named, and for other purposes," with sundry amendments thereto. In which amendments, they desire the concurrence of the House of Representatives.

The Senate have passed Bills of the following titles, to wit:

"An act to revive an act, entitled "An act making appropriations, and for other purposes:" And,

"An act amendatory to an act, entitled "An act to reduce into one the several acts concerning the writ of Habeas Corpus, and to annul the remedy by writ of De Homine Replegiando." In which Bills they desire the concurrence of the House of Representatives.

The Senate have passed a resolution relative to the election of District Attorney for the fourth Judicial District of this State. In which resolution they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr. Runnels offered for adoption, the following resolution, viz:

Resolved, That it is the sense of this House, that the joint Resolution of both Houses, preventing the introduction of new bills after Tuesday last, does not preclude the report of committees on matters heretofore submitted to them by the House."

And the question thereon being taken,

It was determined in the negative.

Mr. Cleveland offered the following Resolution.

Resolved, That the resolution concurred in from the Senate, prohibiting any new Bills being introduced after Tuesday last, be so construed, as to prohibit committees from reporting on subjects which were committed to them previous to Tuesday last."

And the question thereon being taken,

It was determined in the negative.

Mr. Burton, from the Committee of Claims, reported as follows, to wit:

The Committee of Claims, to whom was referred the petition, and accompanying documents, of John Forsyth, Sheriff of Adams County, have had the same under consideration, and are of opinion that he ought to be allowed seventy one dollars, to be paid out of the State Treasury. The remainder of the sum prayed for by the petitioner, amounting to two hundred and forty six dollars and eighty cents, they believe just, and if he should be allowed the same, it ought of right to be paid by the county, as the claim is for prison fees and maintenance of runaway slaves, which by law the net proceeds, in the event of sale, is paid into county treasuries, and applied to county purposes.

On motion of Mr. Burton,

Resolved, That the said report be received and agreed to.

On motion of Mr. Burton,

Ordered, That the same, with the accompanying documents, be referred to the Committee of Accounts

Mr. Metcalfe moved, the following report, to wit :

The select committee to whom was referred the Governor's Communication, accompanied by a resolution of the Legislature of the State of South-Carolina, disagreeing to a resolution of the State of Pennsylvania, beg leave to report, that they have had the same under their consideration, and find that the State of Pennsylvania has proposed an amendment to the Constitution of the United States in the words following : That "Congress shall make no law to erect or incorporate any bank, or other monied institution, except within the District of Columbia ; and every bank, or other monied institution, which shall be established by the authority of Congress, shall, together with its branches and offices of Discount and Deposit, be confined to the District of Columbia ;" in which proposition that State requests the concurrence of her sister States. That the States of Ohio and Illinois have concurred with Pennsylvania in the proposed amendment, and the States of New Jersey, Vermont and South Carolina, have disagreed to the same.

Your committee find that Congress has heretofore exercised the power of incorporating a Bank, and that the Courts of the United States have decided the act of incorporation to be according to the Constitution. They are of opinion that if Congress do exercise the power of incorporating a Bank, it ought to be co-extensive with the Union, and not be circumscribed within the narrow limits of the District of Columbia. That if it be a power from the exercise whereof utility can result to the Nation, it ought to exist so as to admit of the greatest utility of which it is susceptible.

Your committee agree with the Legislature of South Carolina in not apprehending any danger from the exercise of the powers which the people of the United States have confided to Congress; they do not consider that the powers granted to the National Government endanger the rights of the States or are more than adequate to the purposes of that Government; and they have confidence that in the exercise of these powers, Congress will endeavor to make them subservient to the best interests of the Nation. Your committee beg leave, therefore, to recommend to this House the adoption of the following resolutions :

Resolved by the Senate and House of Representatives of the State of Mississippi, in General Assembly Convened. That they do not concur in the amendment proposed by the State of Pennsylvania to the Constitution of the United States, in the

following words: "Congress shall make no law to or erect incorporate any bank, or other monied institution, except within the District of Columbia: and every bank, or other monied institution, which shall be established by the authority of Congress, shall, together with its branches, and offices of discount and deposit, be confined to the District of Columbia,"

Resolved, That the Governor of this State be requested to transmit copies of the foregoing Resolution to the Executives of the several States, with a request, that they lay the same before the Legislatures thereof.

Which was read the first time.

The House proceeded to consider the amendments made by the Senate to the Bill, entitled "An act, to extend the power and jurisdiction of the County Court, in and for the County of Monroe, and for other purposes;"

Which were read, and concurred in by the House.

The House also proceeded to consider the several amendments made by the Senate, to the Bill entitled "An act, to repeal a certain act and parts of acts therein named; and for other purposes."

Mr. Runnels moved, that this House disagree to the said amendments.

And the question thereon being severally taken,

It was determined in the negative.

Ordered, That the Clerk acquaint the Senate, that the House concur in said amendments.

The Bill from the Senate, entitled "An act to revive an act entitled "An act making appropriations, and for other purposes;"

Was read the first time, and with leave of the House, was read the second time.

On motion of Mr. Hinds,

Ordered, That the said Bill lie on the table.

The Bill from the Senate entitled "An act, amendatory to an act entitled An act to reduce into one, the several acts concerning the Writs of Habeas Corpus, and to annul the remedy by writ *do homine replegiando*;" was read the first time.

The Resolution from the Senate to elect a District Attorney for the fourth Judicial District for four years succeeding the 20th instant, was read the first time.

On motion of Mr. Cleveland,

Ordered, That the same lie on the table.

On motion of Mr. Burnet,

Resolved, That his Excellency, the Governor, be requested to cause to be laid before this House any vacancies that now exist, or that may occur by the legal term of office expiring

before the next meeting of the General Assembly, that may be necessary or proper to be filled by the joint vote of both Houses of the General Assembly."

The engrossed Bill, entitled "An act for the emancipation of certain Slaves therein named;" was read the third and passed.

Resolved, That the title thereof be as stated.

Ordered That the Clerk desire the concurrence of the Senate therein.

The House, according to the order of the day, resolved itself into a committee of the whole House on the Bill, entitled "An act, for the relief of certain persons therein named;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Metcalfe reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Cage,

Resolved, That the said report be received and agreed to.

On motion of Mr. Guice,

Ordered, That the said Bill be engrossed for its third reading for to morrow.

The House, according to the order of the day resolved itself into a committee of the whole house on the Bill, from the Senate, entitled "An act to alter and amend an act, entitled "An act for the better securing the payment of rents, and preventing the fraudulent practices of tenants, and to regulate the mode of suing out writs of replevin;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Burnet reported, that the committee had had the said Bill under consideration, and had made an amendment thereto, which was handed in at the clerk's table, and was received and agreed to by the house.

Mr. Burnet moved, that the rule be dispensed with, and that the said Bill be read as amended the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed:

Mr. Burnet moved, to amend the title of said Bill by striking out the words *alter and*, after the word *the* in the second line.

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and desire their concurrence in said amendments.

Mr. Runnels, from the committee to whom the subject was referred, reported a Bill, entitled "An act, to reduce into one the several acts regulating Inns and Houses of private entertainment, and for the regulation of Tippling Houses, and for other purposes;"

Which was read the first time.

Mr. Runnels moved, that the rule be dispensed with and the Bill be read the second time forthwith.

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Guice,

Resolved, That when this House adjourn it will adjourn till 3 o'clock, P. M.

And the House adjourned accordingly.

THREE O'CLOCK, P. M.

The house according to the order of the day resolved itself into a committee of the whole house on the Bill, "to compel the collector of Franklin county, for the year 1818, to pay certain monies by him collected into the hands of the Commissioners of public Buildings of said county;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Dickson reported that the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Dickson,

Resolved, That the said report be received and agreed to.

Mr. Cage, from the joint committee on Enrolled Bills, reported, that the committee had presented to his Excellency the Governor, for his approbation and signature, the following Bills, viz :

"An act, for the emancipation of Negro Woman Betty;" and

"An act, to alter and amend an act, entitled "An act, to reduce into one the several acts concerning Slaves, free Negroes and Mulattoes;"

And that the said committee had examined the following enrolled Bills, viz :

"An act, for the relief of Laban Bacot, and to repeal parts of certain acts therein named ;"

"An act, to alter the boundary line between the counties of Green and Jackson;" and,

"An act, to allow the Judges of Probate to grant writs of *Habeas Corpus*;" and found them truly enrolled.

Whereupon—

Mr. Speaker signed them.

Ordered, That the clerk carry the said Bills to the Senate for the signature of the President thereof.

The Bill from the Senate, entitled "An act, to amend an act, entitled, An act, to amend an act, to incorporate the Town of Liberty, in the county of Amite, passed on the 7th of February, 1820;" Was read the first time, and with leave of the House, was read the second time forthwith.

Mr. Burton moved, that the farther consideration of said Bill be postponed indefinitely.

And the question thereon being taken,

It was determined in the negative.

On motion of Mr. Hurst,

Ordered, That the said Bill lie on the table.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, entitled "An act, to provide for a special tax in the county of Marion, and for other purposes;"

In which Bill they desire the concurrence of the House of Representatives.

They have passed Bills, from the House of Representatives, of the following titles, viz:

"An act, to incorporate the Harmony Society of Jefferson County;" and,

"An act, to establish an Inferior Court of Criminal Jurisdiction, in and for the County of Adams."

And then he withdrew.

Mr. Dougherty called for the order of the day on the Bill, entitled "An act, for the relief of Samuel Martin;"

Which was read the second time.

On motion of Mr. Dougherty,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to morrow.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill "to prescribe the mode of changing the venue in civil cases;"

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Hinds reported, that the committee had had the

said Bill under consideration, and had made an amendment thereto; which was handed in at the Clerk's table.

On motion of Mr. Burton,

Resolved, That the said report be received and agreed to.

On motion of Mr. Runnels,

Ordered, That the said Bill be engrossed, as amended, and read a third time to-morrow.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had examined an enrolled Bill, entitled "An act, amendatory to an act, entitled "An act, to establish a Literary Fund, and for the encouragement and support of Education in this State;"

And found the same truly enrolled.

Whereupon—

Mr. Speaker signed the said Bill.

Ordered, That the Clerk carry the same to the Senate, for the signature of the President thereof.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to enable claimants of lands in the State of Mississippi to perpetuate the evidence of their claims;"

And after some time spent therein,

Mr. Speaker resumed the chair; and

Mr. Runnels reported, that the committee had had the said bill under consideration, and had made an amendment thereto, which was handed in at the Clerk's table, and concurred in by the House.

On motion of Mr. Cage,

Ordered, That the said Bill be engrossed as amended, and made the order of the day for its third reading on to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill "for the relief of James C. Dickson;"

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Cage reported, that the committee had had the said Bill under consideration, and had made an amendment thereto; which was handed in at the Clerk's table, and concurred in by the House.

On motion of Mr. Davidson,

Ordered, That the said Bill be engrossed as amended, and read the third time to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House on the Bill, entitled "An act, to establish a permanent Seat of Justice for Green County;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Selcer reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Selcer,

Resolved, That the said report be received and agreed to.

Mr. Runnels moved, that the rule be dispensed with, and the said Bill be read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed in the affirmative.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Burton moved, that when this house adjourn, it will adjourn to meet at half after 9 o'clock to-morrow.

And the question thereon being taken,

It was resolved in the affirmative.

The farther orders of the day were postponed.

And then the House adjourned.

THURSDAY, 16th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Davis presented the petition of sundry citizens on Pascagoula Bay and River; which was read, and referred to the Committee of Propositions and Grievances.

Mr. Burton, from the Committee of Claims, reported the account of \$8 50, of W. H. Ganong; that \$12 of the account of James Lyons; and that the sum of \$44 10 cents, of the claim of John Foster, are just and ought to be allowed.

Resolved, That the said report be received and agreed to.

On motion of Mr. Burton,

Ordered, That the same be referred to the Committee of Accounts.

Mr. Runnels, from the Committee of Elections, made the following farther report: "Your committee, having examined the documents relative to Walter Davis's election, are of opinion that he is duly and constitutionally elected a member of the House of Representatives of the State of Mississippi."

On motion of Mr. Runnels,

Resolved, That the said report be received and agreed to.

On motion of Mr. Smith,

Resolved, With the concurrence of the Senate, that both Houses of the General Assembly will on Saturday next, at 12 o'clock, meet in the Representative Chamber, to go into the election of two Associate Justices for the County of Hinds, and other counties that may need county officers.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Hurst, from the Committee of Propositions and Grievances, made the following report, viz:

The Committee of Propositions and Grievances have had the petition of Peter Isler, praying farther remuneration for printing the laws of the last June session, under consideration, and have instructed me to report: That the prayer of the petitioner is reasonable, and that he should have been allowed something like this amount, viz:

For printing one thousand copies of the laws, each copy containing 408 pages, at \$3 25 per page,	\$1326 00
Folding, cutting, and stitching, which was not made his duty, and for which no compensation was allowed,	80 00
	\$1406 00
His compensation, as allowed by law, is	1020 00
	\$386 00

Leaving a balance due him, to which they think he is justly entitled, of \$386 00.

Wherefore the committee, from a full and impartial consideration of the circumstances, are of opinion that the sum of three hundred and eighty six dollars, or thereabout, ought to be allowed to the said Peter Isler, as an equitable indemnity for the services aforesaid.

Resolved, That the House receive and agree to said report.

On motion of Mr. Hurst,

Ordered, That the said report be referred to the Committee of Accounts.

Mr. Cage, from the joint committee on enrolled Bills, reported that the committee had presented to his Excellency the Governor, for his approbation and signature the following Bills, to wit:

"An act, to alter the boundary line between the counties of Green and Jackson;"

"An act, to allow Judges of Probate to grant writs of Habeas Corpus ;"

"An act, for the relief of Laban Bacot and to repeal parts of certain acts therein named ;" and,

"An act, amendatory to an act, entitled "An act to establish a Literary fund and for the encouragement and support of Education in this State ;"

A Message from the Senate, by Mr. Old, their Secretary :

MR. SPEAKER,

The Senate have passed a resolution relative to the Election of a Judge to preside in the Criminal Court of Adams county.

In which Resolution they desire the concurrence of the House of Representatives.

They have passed a Bill from the House of Representatives, entitled "An act, to establish additional Election Districts in the counties of Amite and Pike," with an amendment thereto.

In which they desire the concurrence of the House of Representatives.

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, for the relief of Samuel Martin ;"

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Gibson reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

Mr. Runnels moved that the farther consideration of the said Bill be postponed indefinitely;

And the question thereon being put,

Mr. Runnels and two other members called for the yeas and nays.

Those who voted in the affirmative, are,

Mr. Burnet,	Mr. Metcalfe,
Cleveland,	McLeod,
Cooper,	Runnels,
Cage,	Reese,
Davis,	Reed,
Dickson,	Robinson,
Davidson,	Smith,
Fox,	

13

Those who voted in the negative, are,

Mr. Speaker,	Mr. Hinds,
Burton,	Liddell,
Dougherty,	Selcer,

Gordon,
Guice,
Hurst,

Snodgrass,
Williams,

11.

And so the Bill was indefinitely postponed.

On motion of Mr. Cooper, the following Resolution was adopted viz :

Resolved, That the Governor be requested to communicate to this House all the information, in his possession relative to the Bank of the State of Mississippi, derived under the provision of the 13th section of an act, entitled "An act supplemental to an act, to establish a Bank in the Mississippi Territory."

The engrossed Bill, entitled "An act, for the relief of owners of lots in the town of Franklin, the late Seat of Justice for the County of Franklin;" was read the third time.

And the question upon the passage of said Bill being taken, It was determined in the negative;—by yeas and nays, called for by Mr. Robinson and two other members.

Those who voted in the affirmative, are,

Mr. Burnet,

Mr. Hinds,

Cage,

Metcalf,

Dougherty,

Smith,

Gordon,

Snodgrass,

Guice,

Williams.

Hurst,

11.

Those who voted in the negative, are,

Mr. Speaker,

Mr. Graves,

Burton,

Lang,

Cleveland,

McLeod,

Cooper,

Runkels,

Davis,

Reese,

Dickson,

Reed,

Davidson,

Robinson,

Fox,

Selcer.

Gibson,

17.

Mr. Dickson called for the order of the day on the resolution from the Senate, to adjourn, *sine die*.

On motion of Mr. Hinds,

Ordered, That the same lie on the table.

The engrossed Bill, entitled "An act, to prescribe the mode of changing the venue in civil cases;" was read the third time and passed.*

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The House, according to the order of the day, again resolved itself into a committee of the whole house, on the Bill.

entitled "An act, to compel the Collector of Franklin County, for the year 1818, to pay certain moneys by him collected, into the hands of the Commissioners of Public Buildings of said county;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Cage reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Cage,

Resolved, That the said report be received and agreed to.

Mr. Guice moved, that the rule be dispensed with, and that the said Bill be read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The engrossed Bill, entitled "An act, to enable claimants of lands in the State of Mississippi, to perpetuate the evidences of their claims;" was read the third time.

Mr. Cage moved to amend the said Bill, by way of rider, by adding at the end of the third section, the following proviso, viz: "*Provided*, The person or persons so deposing be not then living within the limits of this State."

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the passage of the Bill, as amended, and passed in the affirmative.

Resolved, That the title thereof be as stated.

The engrossed Bill, entitled "An act, for the relief of James C. Dickson;" was read the third time and passed.

Resolved, That that the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate in said Bills.

The Bill from the Senate, entitled "An act, to divide the County of Covington, and form a new county out of the same;" was read the second time.

Mr. Cleveland moved, that the said Bill be referred to a committee of the whole house, and made the order of the day for Monday next.

And the question being put,

It was determined in the negative.

On motions made by Messrs. Cage and Dougherty;

Resolved, That the said Bill be amended by striking out the words *four or five*, where they occur.

Mr. Runnels moved, that the said blanks be filled with the word *three*.

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Williams moved that the rule be dispensed with, and that the said bill be read, as amended, the third time, and put upon its passage forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time, and passed as amended.

Ordered, That the Clerk inform the Senate thereof, and desire the concurrence of the Senate in said amendments.

The engrossed Resolution, that the Governor shall be permitted to occupy the State House, as a private dwelling, was read the third time; and,

On motion of Mr. Metcalfe,

The mover of said resolution had leave to withdraw the same.

The resolution from the Senate, to go into the election of a Judge, to preside in the Court of Criminal Jurisdiction, in and for Adams County;" was read the first time.

On motion of Mr. Metcalfe,

Ordered, That the same lie on the table.

The House proceeded to consider the amendments made by the Senate, to the Bill, entitled "An act, to establish additional Election Districts in the counties of Amite and Pike;" which being read:

Mr. Burnet moved, to amend said amendments, as follows: Add a new section, viz:

And be it further enacted, That the election districts, as heretofore established by law, in and for several counties in this State, shall continue as by said laws provided, any thing in the Revised Code to the contrary notwithstanding.

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the amendments from the Senate, as amended:

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Burnet moved to amend the title of said Bill, as follows, viz: "Strike out the title as stated, and insert, viz: "An act, to establish Election Districts in several Counties in this State,"

And the question thereon being taken,
It was resolved in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and desire their concurrence in said amendments.

The Bill from the Senate, entitled "An act, reviving an act, appointing an additional Board of Medical Censors,"

Was read the first time, and with leave of the House, was read the second time forthwith.

Mr Cleveland moved that the rule be farther dispensed with, and that the said Bill be read the third time forthwith.

And the question being put,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The House, according to the order of the day, resolved itself into a committee of the whole House on the Bill, entitled "An act, concerning public roads in Adams county ;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Fox reported, that the committee had had the said Bill under consideration, and made sundry amendments thereto, which were handed in the Clerk's table and concurred in by the House.

On motion of Mr. Dougherty,

Ordered, That the said Bill be engrossed as amended and read the third time to-morrow.

The Bill, entitled "An act, to amend an act, entitled "An act, establishing the fees of certain officers therein named,"

Was read the second time.

Mr. Cage moved that the further consideration of the said Bill be postponed indefinitely.

And the question thereon being taken,

It was determined in the negative.—

By Yeas and Nays, called for by Mr. Gibson, and two other members.

Those who voted in the affirmative, are

Mr. Cleveland,

Mr. Fox,

Cage,

Guice,

Davis,

Metcalfe,

Dickson,

Williams.

Davidson,

9.

Those who voted in the negative, are

Mr. Speaker,

Mr. Lang,

Burnet,

McLeod,

Burton,

Runnels,

Cooper,
Dougherty,
Gibson,
Graves,
Hurst,
Hinds,

Reese,
Reed,
Robinson,
Smith,
Selcer,
Snodgrass.—18.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for to-morrow.

On motion of Mr. Hinds,

The house adjourned till 3 o'clock, P. M.

THREE O'CLOCK, P. M.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed a Bill, from the House of Representatives, entitled "An act, to alter the name of King Ficket."

They have passed a Bill entitled "An act to repeal the third section of an act therein named."

In which Bill they desire the concurrence of the House of Representatives.

They have disagreed to the amendments made by the House of Representatives to the Bill, entitled "An act to alter and amend an act, entitled "An act for the better securing the payment of rents and preventing the fraudulent practices of tenants, and to regulate the mode of suing out writs of replevin."

They have passed a Bill, from the House of Representatives, entitled "An act to establish a permanent Seat of Justice for the County of Green."

The Senate have passed a resolution for the relief of David Burney and Baker Larkin, with an amendment by way of rider.

In which resolution and amendment, they desire the concurrence of the House of Representatives.

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole house on the Bill, entitled "An act to incorporate the town of Jackson;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Metcalf reported, that the committee had had the

said Bill under consideration, and had made sundry amendments thereto; which were handed in at the Clerk's table.

On motion of Mr. Metcalfe,

Ordered, That the said report lie on the table.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill "for the relief of Samuel C. Wooldridge, Joseph Winn and others;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Burton reported, that the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

Resolved, That the House receive and agree thereto.

The Bill from the Senate, entitled "An act, to repeal the third section of an act therein named;" was read the first time; and with leave of the House, was read the second time forthwith.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole House, and made the order of the day for to-morrow.

The House proceeded to again consider their amendments made by the Senate to the Bill, entitled "An act, to alter and amend an act, entitled "An act, for the better securing the payment of rents, and preventing the fraudulent practices of tenants, and to regulate the mode of suing out writs of replevin."

On motion of Mr. Metcalfe,

Resolved, That this House insist on their said amendments.

Ordered, That the Clerk inform the Senate thereof.

The resolution from the Senate, "for the relief of David Burney and Baker Larkin;" was read the first time; and with leave of the House, was read the second time forthwith.

Mr. Runnels moved, that the rule be farther dispensed with, and the said resolution read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said resolution was read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Cage;

Resolved, That when this House adjourn, it will adjourn till 7 o'clock, P. M.

And then the House adjourned.

SEVEN O'CLOCK, P. M.

The House, according to the order of the day, resolved itself into a committee of the whole house on the Bill, entitled "An act, farther to extend the limits of Warren County, and to designate the boundary lines of the same;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hurst reported, that the committee had had the said Bill under consideration, and had made sundry amendments thereto.

Which were handed in at the Clerk's table.

On motion of Mr. Hurst,

Resolved, That the said report be received and agreed to.

On motion of Mr. Burnet,

Ordered, That the said Bill be engrossed, as amended, and read the third time to-morrow.

Mr. Runnels called for the order of the day on the Bill, entitled "An act, to repeal an act, to reduce into one the several acts regulating Inns, Taverns and Houses of private entertainment, and for the restraining of tippling Houses, and for other purposes;" which was read the second time.

On motion of Mr. Runnels,

Ordered, That the said Bill, be referred to a committee of the whole House, and made the order of the day for to-morrow.

The engrossed Bill, entitled "An act, to authorize the Executor of the last Will and Testament of Claiborne Harris, dec'd to sell real estate," was read the third time and passed.

Resolved, That the title thereof be as stated.

The engrossed Bill, entitled "An act to incorporate the Trustees of Centre Academy and meeting House, in Claiborne County," was read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The House, according to the order of day, resolved itself into a committee of the whole house, on the Bill, entitled "An act, to divide the County of Hinds, and form a new County out of the same," and after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Williams reported, that the committee had had the said Bill under consideration, and had made sundry amendments thereto, which were handed in at the clerk's table, and concurred in by the house.

On motion of Mr. Metcalfe,

Ordered, That the said Bill be engrossed as amended, and read the third time on to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to amend an act, entitled "An act, concerning Highways, Ferries and Bridges ;" and, after some time spent therein,

Mr. Speaker resumed the chair ; and,

Mr. Cage reported, that the committee had had the said Bill under consideration, and had made sundry amendments thereto, which were handed in at the clerk's table, and concurred in by the House.

On motion of Mr. Cage,

Ordered, That the said Bill be engrossed, as amended, and read the third time to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to re-establish the salary of the adjutant general ;" and, after some time spent therein,

Mr. Speaker resumed the chair ; and,

Mr. Smith reported, that the committee had had the said Bill under consideration, and had made some amendments thereto, which were handed in at the clerk's table and concurred in by the House.

On motion of Mr. Runnels,

Ordered, That the said Bill be engrossed, as amended, and read the third time on to-morrow.

The Bill from the Senate, entitled "An act, supplemental to an act, entitled "An act, concerning the appointment, jurisdiction, and powers of Justices of the Peace within this State," was read the second time.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for to-morrow.

The engrossed Bills, entitled, viz :

"An act, to emancipate Maria Louisa, a person of colour," and,

"An act, to incorporate the Trustees of the Baptist church of Clear Creek, in the town of Washington," were severally read the third time, and passed.

Resolved, That the titles thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The Resolution from the Senate addressed to our Senators and Representative in Congress, was read the first time

The Bill from the Senate, entitled "An act, amendatory to an act, entitled "An act, concerning the Attorney-General and District Attornies," was read the second time.

On motion of Mr. Runnels,

Ordered, That the said Bill be referred to a committee of the whole house, and made the order of the day for to-morrow.

On motion of Mr. Runnels,

Resolved, That when this House adjourn, it will adjourn till half after 9 o'clock to-morrow.

The farther orders of the day were postponed.

And then the House adjourned.

FRIDAY, 17th JANUARY, 1823.

The House met pursuant to adjournment.

Mr. Smith presented the petition of William Beams, which was read.

Mr. Smith moved, that the said petition and the Bill introduced by him, entitled "An act, to emancipate certain slaves therein named," be referred to a select committee.

And the question thereon being taken,

It was resolved in the affirmative.

And Messrs. Smith, Dougherty and Selcer were appointed.

Mr. Burnet called for the order of the day on the Resolution from the Senate, to go into the election of a Judge to preside in the Criminal Court, at Natchez, in Adams county; which being again read,

Mr. Burnet moved to amend the said Resolution as follows, viz: Add at the end of the resolution. "Also District and County Officers."

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the said Resolution as amended, and passed in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and desire their concurrence in said amendment.

The engrossed Bill, entitled "An act, concerning public Roads in Adams county," was read the third time, and passed.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Burnet called for the order of the day on the Resolu-

tion from the Senate, to elect a District Attorney for the 4th Judicial District, for four years from and after the 29th instant, which, being again read—

Mr. Cleveland moved, that the further consideration of the said Resolution be postponed indefinitely.

And the question thereon being taken,

It was determined in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed Bills from the House of Representatives of the following titles, to wit:

“An act, to compel the collector of Franklin county, for the year 1818, to pay certain monies by him collected, to the commissioners for public buildings, in the said county.”

“An act, for the relief of James C. Dickson.”

They have concurred in the amendment from the House of Representatives, to the Bill, entitled “An act, to divide the county of Covington, and form a new county out of the same.

They have also concurred in the amendment from the House of Representatives, to the amendment made by the Senate, to the Bill, entitled “An act, to establish additional Election Districts, in the counties of Amite and Pike,” with an amendment thereto—In which they desire the concurrence of the House of Representatives.

And then he withdrew.

Also, the following Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have receded from their disagreement to the amendment from the House of Representatives, to the Bill, entitled “An act, to alter and amend an act, entitled “An act, for the better securing the payment of Rents, and preventing the fraudulent practices of Tenants, and to regulate the mode of suing out writs of Replevin.”

They have concurred in the amendment to the Resolution to elect a Judge, to preside in the Criminal Court of Adams County, &c.

They have passed the Bill from the House of Representatives, to be entitled “An act, to prescribe the mode of changing the venue in civil cases.”

They have passed a Bill, to be entitled “An act, concerning Election Districts, in the county of Green.” In which they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr. Cage, from the joint committee on enrolled Bills, re-

ported that the committee had examined the following enrolled Bills and Resolution, viz :

“ An act, reviving an act, appointing an additional Board of Medical Censors.”

“ An act, to extend the power and jurisdiction of the county court, in and for the county of Monroe, and for other purposes.”

“ An act, to establish an Inferior Court of Criminal Jurisdiction, in and for the county of Adams.”

“ An act, to establish a permanent seat of Justice for the county of Green.”

“ An act, to alter the name of King Picket.”

“ An act, to incorporate the Harmony Society of Jefferson county.”

“ An act, to divide the county of Covington, and form a new county out of the same ;” and,

“ A Resolution, for the relief of David Burney and Baker Larkin ”

And found them truly enrolled.

Whereupon—

Mr. Speaker signed them.

Ordered, That the Clerk carry the said Bills to the Senate, for the signature of the President thereof.

On motion of Mr. Fox,

The following Resolution was adopted :

Resolved, That two hundred copies be printed, of the Bill, to be entitled “ An act, to demise and lease the public School Tracts, and to erect and establish county Classic Academies, for the general and equal diffusion of learning throughout the State, and other purposes therein named,” for the use of the members of the General Assembly.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled “ An act, to alter and amend an act, prescribing the mode of ascertaining and assessing the taxable property within this State and for collecting the public revenue ;” and, after some time spent therein,

Mr. Speaker resumed the chair ; and,

Mr. Fox reported, That the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Fox,

Resolved, That the said report be agreed to.

Ordered, That the Clerk inform the Senate, that the House of Representatives is now ready to receive the Senate in the Representative Chamber, for the purpose of electing a Judge

to preside in the Criminal Court in and for Adams county, and other officers, in pursuance of a joint Resolution of this day.

The Clerk having performed that duty, the Senate came into the Representative Chamber, and took the seats assigned to them, and proceeded in said election.

For a Judge to preside in the Criminal Court for Adams County, the votes were as follow, viz:

For Edward Turner.

SENATORS.

Mr. Anderson,
Barry,
Brown,
Calvit,
McKay,

Mr. Norton,
Regan,
Sessions,
Scott,
Spencer.—10.

REPRESENTATIVES.

Mr. Speaker,
Burnet,
Cleveland,
Cooper,
Cage,
Dougherty,
Davis,
Dickson,
Davidson,
Fox,
Gordon,
Guice,
Graves,
Hurst,

Mr. Hinds,
Liddell,
Lang,
Metcalf,
McLeod,
Runnels,
Reese,
Reed,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams.

27.

37.

Whereupon—

The President of the Senate announced to the two Houses, that Edward Turner was duly and legally elected Judge to preside in the Criminal Court of Adams County.

The two Houses then proceeded to the election of an Associate Justice for the County of Amite, in which the votes were as follow:

For David Davis.

SENATORS.

Mr. Anderson,
Barry,
Brown,
Calvit,
McKay,

Mr. Regan,
Sessions,
Scott,
Spencer.

9.

REPRESENTATIVES.

Mr. Speaker,
Burnet,
Burton,
Cooper,
Cage,
Dougherty,
Davis,
Dickson,
Davidson,
Fox,
Gibson,
Gordon,
Guice,
Graves,

Mr. Hurst,
Hinds,
Liddell,
Metcalf,
McLeod,
Runnels,
Reese,
Reed,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams.

27.

36.

Whereupon—

The President of the Senate announced to the two Houses, that David Davis was legally and duly elected an Associate Justice for the County of Amite.

And then the Senate withdrew.

On motion of Mr. Runnels,

The house adjourned 'till 3 o'clock, P. M.

THREE O'CLOCK, P. M.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have postponed the further consideration of the Bill, from the House of Representatives, entitled "An act, for the emancipation of certain slaves therein named," until the first Monday in November.

They have passed the Bill, from the House of Representatives, entitled "An act, to enable the claimants of lands in the State of Mississippi, to perpetuate the evidences of their claims," with an amendment to the rider from the House of Representatives.

In which amendment they desire the concurrence of the House of Representatives.

And then he withdrew.

A Message from the Governor, in writing, by Mr. Patrick, his private Secretary, viz:

To the House of Representatives

In compliance with the resolution of the House of Representatives, of the 16th instant, requiring me to lay before them a "list of vacancies that now exist, or that may occur by the legal term of office expiring before the next meeting of the General Assembly, I transmit to the house a report of the Secretary of State in relation to that subject. I would farther state, that having received the resignation of Thomas Hubbard, Esq. Judge of Probate of the County of Jackson, that office is now vacant.

WALTER LEAKE.

Which was read, together with the report from the Secretary of State.

Also, a Message from the Governor, by Mr. Patrick, his private Secretary, notifying this House, that his Excellency, did on the 15th instant, approve and sign acts of the following titles, viz: "An act, to authorize Susanah Jones, to convey real estate."

"An act, for the relief of Dillard Collins."

"An act, for the relief of Laban Bacot, and to repeal parts of certain acts therein named."

And that he did on the 16th instant, approve and sign, acts of the following titles:

"An act, to allow Judges of Probate to grant writs of *Habeas Corpus*."

"An act, to alter and amend an act, to reduce into one, the several acts, concerning Slaves, free Negroes and Mulattos;" and,

"An act, to emancipate Negro Woman Betty."

And on the 17th instant, that his Excellency, did approve and sign, acts of the following titles, viz:

"An act, to extend the power and jurisdiction of the County Court, in and for the County of Monroe, and for other purposes "

"An act, to establish a permanent seat of Justice, for the County of Green."

"An act, to alter the name of King Picket."

"An act, to incorporate the Harmony Society of Jefferson County."

"An act, to establish an Inferior Court of Criminal Jurisdiction, in and for the County of Adams;" and,

"An act, amendatory to an act, entitled "An act, to establish a Literary Fund, and for the encouragement and support of education in this State."

Ordered, That the Clerk inform the Senate thereof.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to amend an act, entitled "An act, establishing the fees of certain officers therein named;" and, after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Cleveland reported, that the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

Mr. Cleveland moved, That the House disagree to said report.

And the question thereon being put,

It was determined in the affirmative.

Mr. Fox moved, that the further consideration of the said Bill be postponed until the meeting of the next General Assembly.

And the question thereon being taken,

It was resolved in the affirmative, by yeas and nays, called for by Mr. Gibson, and two other members.

Those who voted in the affirmative are,

Mr. Speaker,
Burton,
Cleveland,
Cage,
Dougherty,
Davis,
Dickson,
Davidson,
Fox,

Mr. Guice,
Hurst,
Hinds,
Liddell,
Metcalf,
Runnels,
Reese,
Snodgrass,
Williams,—18.

Those who voted in the negative are,

Mr. Burnet,
Cooper,
Gibson,
Gordon,
Lang,

Mr. McLeod,
Robinson,
Smith,
Selcer,

—9

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, for the relief of Samuel C. Wooldridge, Joseph Winn, and others;" and, after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Dougherty reported, that the committee had had the said Bill under consideration, and had made sundry amendments thereto, which were handed in at the clerk's table, and concurred in by the House.

On motion of Mr. Runnels,

Ordered, That the said Bill be engrossed, as amended, and made the order of the day for the third reading to-morrow.

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Governor did, on the 15th instant, approve and sign acts of the following titles, to wit :

“ An act, to divide the Militia of Monroe county into two Regiments.”

“ An act, for the benefit of David Fulson, and others.”

“ An act, to authorize the administrator of the estate of Jephtha Ginn, deceased, of Pike county, to sell real estate ”

And he did, on the 16th instant, approve and sign an act, of the following title, to wit :

“ An act, to alter the boundary line between the counties of Green and Jackson.”

The Governor did, on the 17th instant, approve and sign acts of the following titles, to wit :

“ An act, reviving an act, appointing an additional Board of Medical Censors ;” and,

“ An act, to divide the County of Covington and form a new County out of the same.”

The Senate have postponed the further consideration of the Bill, entitled “ An act, to authorize the Executor of the last Will and Testament of Claiborne Harris, deceased, to sell real estate, until the first Monday in November next.”

They have passed the Bill from the House of Representatives, to incorporate the Trustees of the Baptist Church of Clear Creek, in the Town of Washington ; with sundry amendments thereto.

In which amendments they desire the concurrence of the House of Representatives.

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill from the Senate, entitled “ An act, to repeal the third section of an act therein named ;”

And after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. Hinds reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment ; which report was received and agreed to by the House.

Mr. Metcalfe moved that the farther consideration of the said Bill be postponed until the meeting of the next General Assembly.

And the question thereon being taken,

It was resolved in the affirmative, by yeas and nays, called for by Mr Runnels, and two other members.

Those who voted in the affirmative are,

Mr. Speaker,	Mr. Gordon,
Burton,	Guice,
Cleveland,	Graves,
Cage,	Hurst,
Dougherty,	Hinds,
Dickson,	Liddell,
Davidson,	Lang,
Fox,	Metcalfe,—16.

Those who voted in the negative are,

Mr. Burnet,	Mr. Kerse,
Cooper,	Robinson,
Davis,	Smith,
Gibson,	Selcer,
McLeod,	Snodgrass,
Runnels,	Williams —12.

Ordered, That the Clerk acquaint the Senate therewith.

The engrossed Bills, entitled "An act, farther to extend the limits of Warren county, and to designate the boundary lines of the same;" and,

"An act, to divide the county of Hinds, and form a new county out of the same," were severally read the third time, and passed.

Resolved, That the titles thereof be as stated.

Ordered That the Clerk desire the concurrence of the Senate therein.

The engrossed Bill, entitled "An act, to amend an act, entitled "An act, concerning Highways, Ferries and Bridges," was read the third time

Mr. Dickson moved, to amend the Bill, by way of rider, as follows, viz: Add the following as new sections. viz:

Sec. 4. *And be it further enacted*, That all persons on whose land public roads cross large water courses, it may be lawful for to erect swinging gates across said public roads, any law, usage, or custom, to the contrary notwithstanding.

Sec. 5 *And be it further enacted*, That so much of the 10th section of an act, entitled "An act, concerning Highways, Ferries and Bridges," as makes the overseers return of defaulters conclusive evidence, be, and the same is hereby repealed.

Mr. Burnet moved to amend said amendment by adding at the end of the said 4th section, viz: "*Provided*, this section

shall apply and be in force only in that part of this State east of Pearl River."

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the amendment, by way of rider as amended.

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the passage of the Bill, as amended by way of rider, and passed in the affirmative.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

On motion of Mr. Runnels,

The House adjourned till 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Mr. Cage, from the joint committee on enrolled Bills, reported that the committee had presented to his Excellency the Governor, for his approbation and signature the following Bills, to wit :

A Bill, entitled "An act, reviving an act, appointing an additional Board of Medical Censors."

A Bill, entitled "An act, to extend the power and Jurisdiction of the Court in and for the County of Monroe, and for other purposes."

A Bill, entitled "An act, to establish an Inferior Court of Criminal Jurisdiction in and for the County of Adams."

A Bill, entitled "An act, to establish a permanent seat of Justice for the County of Green."

A Bill, entitled "An act, to alter the name of King Picket."

A Bill, entitled "An act, to incorporate the Harmony Society of Jefferson County "

And, a Bill, entitled "An act, to divide the County of Covington and form a new County out of the same."

Also, a Resolution in favor of David Burney and Baker Larkin."

The House proceeded to consider the amendments made by the Senate to the Bill, entitled "An act, to incorporate the Trustees of the Baptist Church of Clear Creek, in the Town of Washington."

Mr. Metcalfe moved, that this House disagree to the said amendments.

And the question thereon being taken,
It was resolved in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

The House, also, proceeded to consider the amendment made by the Senate to the rider to the Bill, entitled "An act, to enable claimants of Lands in the State of Mississippi, to perpetuate the evidences of their claims ;" which being read.

Mr. Dougherty moved, to amend the said amendment by the Senate as follows, viz : after the word *State*, at the end of the third section, add "at the time such testimony may be offered or intended to be introduced."

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on concurring in the amendment from the Senate, as amended.

And the question being put,

It was resolved in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and desire their concurrence in said amendment.

The engrossed Bill, entitled "An act, to re-establish the salary of the Adjutant General ;" was read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Smith called for the order of the day on the Bill, "to incorporate the Town of Jackson ;" the report of the committee of the whole House being under consideration, which was read, and the Bill being farther amended at the clerk's table.

Mr. Metcalfe moved, that the said Bill be referred to a select committee ;

And the question thereon being taken,

It was resolved in the affirmative.

And Messrs. Smith, Metcalfe and Cage, were appointed.

Mr. Hurst called for the order of the day on the resolution from the Senate, to adjourn *sine die*, on Saturday the 18th inst.

Mr. Runnels moved, that the said resolution lie on the table.

And the question being put,

It was determined in the negative.—

Mr. Hurst moved, to amend the resolution by striking out the words *Saturday* and 18th.

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Hurst moved, that the said blanks be filled with the words *Wednesday 22d*.

And the question thereon being taken,
It was resolved in the negative.

Mr. Cleveland moved that the said blank be filled with the words *Tuesday 21st*.

And the question thereon being taken,
It was resolved in the affirmative.

By Yeas and Nays, called for by Mr. Burnet, and two other members.

Those who voted in the affirmative, are,

Mr. Speaker,	Mr. Graves,
Burnet,	Hinds,
Cleveland,	McLeod,
Cooper,	Runnels,
Dougherty,	Reese,
Davis,	Robinson,
Gibson,	Smith,
Guice,	Selcer,
	Snodgrass,—17.

Those who voted in the negative, are,

Mr. Cage,	Mr. Liddell,
Dickson,	Lang,
Davidson,	Metcalf,
Fox,	Williams,
Hurst,	

9.

Mr. Runnels moved, that the said amendment lie on the table.

And the question being put,
It was determined in the negative.

Mr. Metcalfe moved, that this House concur in said Resolution, as amended.

And the question thereon being taken,
It was resolved in the affirmative.

Ordered, That the Clerk desire the concurrence of the Senate in said amendment.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill from the Senate, entitled "An act, supplemental to an act, entitled "An act, concerning the appointment, jurisdiction and powers of Justices of the Peace, within this State;"

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Liddell reported, that the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Dougherty,

Resolved, That the House agree thereto.

Mr. Robinson moved, that the house do now adjourn 'till 9 o'clock to-morrow morning.

And the question thereon being taken

It was resolved it the affirmative.

The farther orders of the day were postponed.

And then the House adjourned.

SATURDAY, 18th JANUARY, 1823.

§ The House met pursuant to adjournment.

Mr. Liddell from the committee of Accounts reported, viz :

The committee of Accounts, to whom has been referred His Excellency, Governor Leake's communication, relative to the contingent fund for the year 1822, have found it correctly stated, and the committee do recommend the following resolution :

Resolved, That the Committee of Accounts be directed to deposit the said Account and papers relative thereto, in the office of the Secretary of State.

On motion of Mr. Liddell,

Resolved, That the said report be received and agreed to.

Mr. Liddell, from the same committee, also. made the following report :

The joint Committee of Accounts, to whom has been referred the reports of the Auditor of Public Accounts and the Treasurer of the State, beg leave to make the following report:

Your committee have examined and compared the warrants drawn by the Auditor of Public Accounts on the Treasury, up to the first day of November, 1822, amounting to the sum of - - - - - \$45 971 19 1-2

Of this amount there has been paid by the Treasurer, previous to the 1st of Nov. 1822, 37,465 88

Leaving unredeemed by the Treasury, on the first day of November, 1822, the sum of 8,505 31 1-2

The committee have in like manner, examined and compared, the Auditor's report with that of the Treasurer, as to receipts into the Treasury, from all sources of Revenue, up to the first day of November, 1822, amounting to the sum of - - - - - 37,896 23 1-4

The disbursements up to that date, as before stated, have been - - - - - 37,465 88

Leaving a balance in the Treasury on the first day of November, 1822, of \$430 35 1-4,

to which may be added receipt warrant No. — issued by the Auditor, but not paid into the Treasury at that time, amounting to \$40.

470 35 1-4

Leaving a deficiency in the Treasury on the first day of November 1822, and which corresponds with the Auditor and Treasurer's reports, to wit:

8,034 96 1-4

Your committee, in order to ascertain the real state of the Treasury, have examined and compared the warrants drawn by the Auditor on the Treasury, but have not examined the vouchers on which they were founded, since the 31st of October, 1822, up to the 15th January inst. per schedule, exclusive of bank stock, and find that in addition to the balance remaining in the Treasury, on the first of November, 1822, exclusive of warrant No. 20, for \$40

\$430 35 1-4

There has been paid in, from all sources of revenue, the sum of

\$50,027 75

Making together the sum of

\$50,458 10 1-4

Disbursements on account of warrants issued by the Auditor of Public Accounts, previous to the first day of November, under the different heads of departments, and which corresponds with the previous examinations, amounting to the sum of

\$8,197 62 1-4

Disbursements on account of warrants issued by the Auditor of Public Accounts, since the 31st day of October, 1822, under the different heads of departments, amount to

\$16,465 09 1-4

Amounting in the aggregate, to the sum of \$24,662 71 1-2

Leaving a balance in the Treasury, on the 15th January, inst. of

\$25,795 38 3-4

Which your committee have, on examination, found to be in the Treasury. They beg leave to express their high sense of the correctness and integrity, evinced by the Auditor and Treasurer in the discharge of their official duties.

Your committee have, also, examined and compared the vouchers, on which the Auditor of Public Accounts issued his warrants, up to the first day of November last, and have found them in strict conformity to the acts and resolutions of the General Assembly of this State.

The committee have in their possession, the warrants of the Treasurer, paid previous to the 1st November, 1822, subject

to the disposition of the House of Representatives ; and recommend the adoption of the following resolution :

Resolved. That the Committee of Accounts, deface the said warrants, by cutting from each a piece through the name of the Auditor, and deposit them, thus defaced, with the Treasurer.

Which being read,

Mr. Liddell moved, that the House receive and agree to the said report.

The question thereon being taken,

It was decided in the affirmative.

On motion of Mr. Dougherty,

Resolved, That ——— copies of the report of the Committee of Accounts, be printed for the use of both Houses of the General Assembly.

On motion of Mr. Hinds,

Resolved, That the blank in said resolution be filled with the words three hundred.

The House proceeded to consider the amendments made by the Senate to the Bill, entitled "An act, to establish additional election districts in the counties of Amite and Pike ;" which were read.

Mr. Runnels moved, that this House concur in said amendments.

The question thereon being taken,

It was decided in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith.

The House according to the order of the day resolved itself into a committee of the whole House on the Bill, to ascertain and assess taxable property within this State, and providing for collecting the public revenue ;

And after some time spent therein,

Mr. Speaker resumed the chair, and,

Mr. Cleveland reported that the committee had again had the said Bill under consideration, and had made sundry amendments thereto.

Which were handed in at the Clerk's table.

On motion of Mr. Smith,

Ordered, That the said report lie on the table.

A Message from the Senate by Mr. Old, their Secretary :.

Mr. SPEAKER,

The Senate have passed a Bill from the House of Representatives, entitled "An act, concerning public Roads in Adams County."

They have passed a resolution for the benefit of the Post Master of the Town of Jackson.

In which they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr. Cleveland called for the order of the day on the Bill, making appropriations for certain persons therein named.

And the question being put, will the House now consider the said Bill?

It was determined in the negative.

Mr. Burton moved that the committee of claims be discharged from the further consideration of their duties after this day.

And the question being taken,

It was determined in the negative.

The House according to the order of the day resolved itself into a committee of the whole House on the Bill, from the Senate entitled "An act, amendatory to an act, entitled "An act, concerning the Attorney General and District Attorneys;"

And after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Smith reported that the committee had had said Bill, under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Smith,

Resolved, That said report be agreed to.

A Message from the Senate, by Mr. Old, their Secretary :

MR. SPEAKER,

The Senate have passed a Bill from the House of Representatives, entitled "An act, to re-establish the salary of the Adjutant General."

They have concurred in the amendments to the resolution from the Senate, relative to adjourning *sine die*.

They have also concurred in the amendments from the House of Representatives to the amendment from the Senate to the Bill, entitled "An act, to enable claimants of Lands, in the State of Mississippi, to perpetuate the evidences of their claims;"

The Senate insist on their amendment to the Bill, entitled "An act, to incorporate the Trustees of the Baptist Church of Clear Creek in the Town of Washington."

The Senate have passed Bills from the House of Representatives, of the following titles, to wit :

"An act, to incorporate the Trustees of Centre Academy and Meeting House, in Claiborne County."

"An act, farther to extend the limits of Warren County, and to designate the boundary lines of the same." And,

"An act, to amend an act, entitled "An act, concerning highways, ferries and bridges."

With an amendment thereto.

In which they desire the concurrence of the House of Representatives.

And then he withdrew.

On motion Mr. of Cleveland,

Ordered, That a conference with the Senate be requested on the subject matter of amendment and disagreement to the Bill, entitled, "An act, to incorporate the Trustees of the Baptist Church of Clear Creek, in the Town of Washington," and that a committee be appointed to act with such committee as may be appointed by the Senate thereon.

And Messrs. Cleveland, Metcalfe and Dougherty, were appointed.

The House proceeded to consider the amendment made by the Senate to the Bill, entitled "An act, to amend an act, entitled "An act, concerning highways, ferries and bridges;" which were read.

Mr. Runnels moved that the House concur in said amendment.

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

The resolution from the Senate, addressed to our Senators and Representative in Congress, was read the second time.

On motion of Mr. Metcalfe,

Ordered, That the same lie on the table.

Mr. Gibson called for the order of the day on the Bill, entitled "An act, to appoint commissioners to lay out and mark certain roads therein named."

And the question being put,

It was determined in the negative.

The Bill from the Senate entitled "An act, prescribing the duties of Clerks," was read the first time; and with leave of the House, was read the second time, forthwith.

On motion of Mr. Cage, for the purpose,

The House forthwith resolved itself into a committee of the whole house on said Bill; and after some time spent therein, Mr. Speaker resumed the chair; and Mr. Fox reported, that the committee had had said Bill under consideration, and had made an amendment thereto.

Which was handed in at the Clerk's table, and concurred in by the House.

On motion of Mr. Gordon,

Resolved, That this House adjourn till 3 o'clock, P. M.

And the House adjourned accordingly.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The Bill from the Senate, entitled "An act, prescribing the duties of Clerks," being under consideration,

On motion of Mr. Cooper,

Resolved, That the rule be dispensed with, and that the said Bill be read the third time forthwith.

Whereupon—

The said Bill was read the third time, and passed as amended.

Mr Cage moved to amend the title of said Bill as follows, viz: strike out the title, and insert in lieu, "An act, concerning the duties of Clerks, and to repeal the 13th section of an act, concerning Attorneys and Counsellors at Law."

The question being taken,

It was resolved in the affirmative.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Smith called for the order of the day, on the Bill, entitled "An act, to appoint commissioners to lay out and mark certain roads therein named," and the House agreeing thereto.

The House according to the order of the day, resolved itself into a committee of the whole House on said Bill, and after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Hurst reported, that the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Hurst,

Resolved, That the said report be received and agreed to.

Mr. Burton moved, that the committee of the whole House be discharged from the further consideration of said Bill, and that the same be re-committed to the committee who reported it.

And the question being taken,

It was resolved in the affirmative.

The engrossed Bill, entitled "An act, for the relief of Samuel C. Wooldridge, Joseph Winn, and others," was read the first time.

Mr. Burnet moved to amend the said Bill, by way of rider, viz: Add to the end of the Bill, as follows:

"*Provided, nevertheless*, That the holders of lots designated and granted as original pre-emption lots, be not required to pay one tenth of the average value thereof in advance, and that certificates issue, and they be allowed the term of three years to complete the payment thereof, according to the provisions of the above recited act."

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the passage of the Bill, as amended, and passed in the affirmative.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Smith, from the select committee to whom was referred the Bill, "to incorporate the Town of Jackson," reported the same Bill, with sundry amendments thereto.

Which being read,

Mr. Smith moved, that the House receive and agree thereto.

And the question thereon being taken,

It was resolved in the affirmative.

On motion of Mr. Smith,

Ordered, That the said Bill be engrossed, as amended, and made the order of the day for its third reading on Monday next.

Mr. Metcalfe called for the order of the day, on the Bill from the Senate, entitled "An act, to revive an act, entitled "An act, making appropriations, and for other purposes;" which was read the third time.

On motion of Mr. Metcalfe,

Ordered, That said Bill be referred to a select committee.

And Messrs. Metcalfe, Cage and Lang were appointed.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill, "to change the times of holding Courts in the third Judicial District;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Guice reported, that the committee had had the said Bill under consideration, and had made some amendments thereto.

Which were handed in at the Clerk's table, and concurred in by the House.

On motion of Mr. Burton,

Ordered, That the said Bill be engrossed, as amended, and read the third time on Monday next.

On motion of Mr. Dougherty,

The following resolution was adopted, viz:

Resolved, By the House of Representatives, with the concurrence of the Senate, that at the close of this and of every future session of the General Assembly, it shall be the duty of the Clerk of the House of Representatives, and of the Secretary of the Senate, respectively, to take charge of all the books, maps and papers belonging to the two Houses; and after carefully filing all papers, deposit the whole in the office of the Secretary of State.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Cleveland moved, that when this House adjourn, it will adjourn till 9 o'clock on Monday next.

And the question thereon being taken,

It was resolved in the affirmative.

The farther orders of the day were postponed.

And then the House adjourned.

MONDAY, JANUARY 20, 1823.

The House met pursuant to adjournment.

Mr. Metcalfe, presented a petition from a large number of ladies, praying an appropriation in aid of their exertions for the permanent establishment of Elizabeth Academy, in the vicinity of Washington, which was referred to a select committee, and,

Messrs. Metcalfe, Snodgrass, Hinds, Cage and Gordon, were appointed.

Mr. Cage from the committee of enrolled Bills, reported that the committee had examined the following enrolled Bills, viz:

"An act, to incorporate the trustees of Centre Academy and meeting house, in Claibourne County."

"An act, further to extend the limits of Warren county, and to designate the boundary lines of the same."

"An act, to re-establish the salary of the Adjutant General."

"An act, to compel the Collector of Franklin County, for the year 1818, to pay certain moneys by him collected, to the commissioners for Public Buildings in said County."

"An act, for the relief of James C. Dickson."

"An act, to prescribe the mode of changing the venue in civil cases."

"An act, to enable claimants of lands in the State of Mississippi, to perpetuate the evidences of their claims."

"An act, to establish Election Districts, in several counties in this State."

"An act, to amend an act, entitled "An act, for the better securing the payment of rents, and preventing the fraudulent practices of tenants, and to regulate the mode of suing out writs of Replevin."

"An act, to mend an act, entitled "An act. concerning highways, ferries and bridges."

"An act, concerning the duties of Clerks, and to repeal the

13th section of an act. concerning Attorneys and Counsellors at Law," and find them truly enrolled.

Whereupon—

Mr. Speaker signed them.

Ordered, That the clerk carry the said Bills to the Senate for the signature of the President thereof.

A Message from the Senate, by Mr. Old, their Secretary :

MR. SPEAKER,

The Senate have concurred in the report from the joint committee of accounts,

They have also concurred in the request from the House of Representatives, relative to the subject matter of amendment and disagreement to the Bill, entitled ' An act, to incorporate the Trustees of the Baptist Church of Clear Creek, in the Town of Washington;' and have on their part appointed Messrs Sessions and Barry. a committee of conference to act with the committee appointed by the House of Representatives.

And they have also concurred in the amendment from the House of Representatives to the Bill, entitled "An act, prescribing the duties of Clerks."

The Senate have passed the Bill from the House of Representatives, entitled "An act, to emancipate Maria Louisa, a person of colour,"

And then he withdrew:

Mr. Burton, from the committee of claims, presented an account of P. A. Vandorn, of \$169, which was referred to the committee of accounts.

Mr. Metcalfe, from the select committee, to whom was referred the Bill from the Senate, entitled "An act, to revive an act, entitled " An act, making appropriations, and for other purposes;" reported the same Bill, with sundry amendments; which Bill, as amended, was read; and,

On motion of Mr. Metcalfe,

Resolved, That the said report be received and agreed to.

Mr. Metcalfe moved, that the said Bill, as amended, be referred to a committee of the whole House, and made the order of the day, forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The House resolved itself into a committee of the whole House, on said Bill ;

And after some time spent therein,

Mr. Speaker resumed the chair, and,

Mr. Smith reported, that the committee had had the said

Bill under consideration, and had made sundry amendments thereto ; which were handed in at the Clerk's table, severally read and concurred in by the House.

On motion of Mr. Burnet, the said Bill was further amended as follows, viz :

SEC. — *And be it further enacted*, That it shall be the duty of the Secretary of State, to require bond and security from the printer of the laws, in the sum of two thousand dollars, conditioned for the faithful performance of his contract, and from the printer of the journals, bond and security in the sum of one thousand dollars, for the faithful performance of his contract, which bonds shall be approved by the Governor.

On motion of Mr. Runnels,

Ordered, That the said Bill be engrossed as amended, and read the third time on this day

A Message from the Senate, by Mr. Old, their Secretary :

MR. SPEAKER,

The Senate have concurred in the report from the joint committee to whom was referred the subject matter of amendment and disagreement between the two houses on the Bill in relation to the Baptist Church at Washington.

They have passed the Bill from the House of Representatives, entitled "An act, to divide the county of Hinds and form a new county out of the same," with sundry amendments thereto.

In which they desire the concurrence of the House of Representatives.

They have passed "a resolution for the benefit of the Secretary of State and Auditor of Public Accounts," and,

"A resolution relative to the Treasurer."

In which resolutions they desire the concurrence of the House of Representatives.

They have concurred in the resolution from the House of Representatives making it the duty of the Secretary of the Senate and Clerk of the House of Representatives, to deposit Books, Maps and Papers in the Secretary of State's office.

And then he withdrew.

Mr. Cleveland, from the joint committee appointed on the subject matter of amendment and disagreement between the two Houses on the Bill, entitled "An act, to incorporate the Trustees of the Baptist Church of Clear Creek, in the Town of Washington," reported that the committee have recommended to the Senate to recede from their amendments to the said Bill

On motion of Mr. Cleveland,

Resolved, That said report be received and agreed to.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hinds, from the select committee to whom was referred the Bill, to lay out and mark certain roads therein named, reported a Bill, entitled "An act, to appoint commissioners to lay out and mark certain roads therein named;" which was read.

On motion of Mr. Dougherty,

Resolved, That the said report be received and agree to.

Mr. Hinds moved that the said Bill be referred to a committee of the whole House forthwith:

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The House resolved itself into a committee of the whole House on said Bill,

And after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Dickson reported that the committee had had the said bill under consideration and had made two amendments thereto.

Which were handed in at the Clerk's table.

Mr. Dickson moved, that the House agree to the said amendments.

And a division of the question being called for, upon the first amendment;

Resolved, That the House concur therein.

And the question being put upon the second amendment, which was to fill the blank in the 5th section with *three hundred*,

Mr. Cleveland, and two other members, called for the yeas and nays:

Those who voted in the affirmative, are

Mr. Speaker,

Burnet,

Cage,

Dougherty,

Davis,

Dickson,

Gibson,

Gordon,

Guice,

Hurst,

Hinds,

Mr. Liddell,

Lang,

Metcalfe,

Reese,

Reed,

Robinson,

Smith,

Selcer,

Snodgrass,

Williams.—21.

Those who voted in the negative, are

Mr. Burton,

Cleveland,

Mr. Fox,

Graves,

Cooper,
Davidson,

Runnels,

7.

And so the House concurred in the second amendment.

On motion of Mr. Hinds;

Ordered, That the said Bill be engrossed for its third reading for this day.

On motion of Mr. Cleveland,

Resolved, That this House adjourn 'till 3 o'clock, P. M.

And the House adjourned accordingly.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Cage from the joint committee on enrolled Bills, reported that the committee had presented to His Excellency, the Governor, for his approbation and signature, Bills of the following titles, viz :

"An act, to prescribe the mode of changing the Venue in Civil Cases."

"An act, farther to extend the limits of Warren County, and to designate the boundary lines of the same."

"An act, to re-establish the salary of the Adjutant General."

"An act, to compel the collector of Franklin County, for the year 1818, to pay certain moneys by him collected to the commissioners for public buildings in said county."

"An act, for the relief of James C. Dickson."

"An act, to incorporate the trustees of Centre Academy and Meeting House, in Claiborne County."

"An act, to enable the claimants of lands in the State of Mississippi, to perpetuate the evidences of their claims."

"An act, to establish election districts in several Counties in this State."

"An act, to amend an act, entitled "An act, for the better securing the payment of rents and preventing the fraudulent practices of tenants, and to regulate the mode of suing out writs of replevin."

"An act, concerning the duties of Clerks, and to repeal the 13th section of "An act, concerning Attorneys and Counselors at Law."

"An act, to amend an act, entitled "An act, concerning highways, ferries and bridges."

Mr. Cleveland called for the order of the day on the Bill from the Senate, entitled "An act, to emancipate Hannah Brooks, a person of colour."

Which was read, the first time, and with leave of the House, was read the second time forthwith.

On motion of Mr. Metcalfe,

The rule was farther dispensed with, and the said Bill was read the third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed "A Resolution concerning the emancipation of the slaves of Lawson Thompson, deceased."

In which Resolution they desire the concurrence of the House of Representatives.

They have passed the Bill, from the House of Representatives, entitled "An act, for the relief of Samuel C. Wooldridge, Joseph Winn, and others."

And then he withdrew.

The Bill from the Senate, entitled "An act, reviving an act, making appropriations therein named," was read the third time.

Mr. Metcalfe moved to amend the title of said Bill, as follows, viz: Strike out the whole of the title, and insert the following, viz: "An act, to provide for a contingent fund of the Executive Department, and for the publication and distribution of the Laws and Journals."

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk acquaint the Senate therewith, and desire their concurrence in said amendments.

The engrossed Bill, "to appoint commissioners to lay out and mark certain roads therein named," was read the third time, and passed in the affirmative—by yeas and nays, called for by Mr. Cleveland and two other members.

Those who voted in the affirmative, are

Mr. Speaker,

Ard,

Burnet,

Cage,

Dougherty,

Davis,

Dickson,

Gibson,

Gordon,

Guice,

Hurst,

Hinds,

Mr. Liddell,

Lang,

Metcalfe,

McLeod,

Reese,

Reed,

Robinson,

Smith,

Selcer,

Snodgrass,

Williams.

Those who voted in the negative, are

Mr. Burton,
Cleveland,
Cooper,
Davidson,

Fox,
Graves,
Runnels,

7.

Mr. Hinds moved to amend the title, as follows, to wit: "Strike out the whole of the title, and insert the following, in lieu thereof: "An act, to provide for opening a Road from the Town of Jackson, to the Mississippi River, and making an appropriation therefor."

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk desire the concurrence of the Senate in said Bill, with the title, as amended.

Mr. Hinds presented the petition of Abram Defrance and B. M. Hines, which was read, and referred to a select committee.

And Messrs. Hinds, Smith and Burton were appointed.

The engrossed Bill, entitled "An act, to change the times of holding Courts in the third Judicial District," was read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill, entitled "An act, to repeal an act, entitled "An act, to amend an act, to incorporate the town of Monticello;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Dickson reported, that the committee had had the said Bill under consideration, and had made an amendment thereto.

Which was handed in at the Clerk's table, and concurred in by the House.

On motion of Mr. Runnels,

Ordered, That the said Bill be engrossed, as amended, and read the third time this day.

A message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed the Bill, from the House of Representatives, entitled "An act, supplementary to an act, entitled "An act, to appoint commissioners to locate the lands given by the United States to this State, for a Seat of Government."

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole house on the Bill, entitled

"An act, to amend an act, entitled "An act, to define the boundaries of the several Counties of this State;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cage reported, that the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Runnels,

Resolved, That the said report be received and agreed to.

The Resolution from the Senate, for the benefit of the Secretary of State and Auditor of Public Accounts, was read the first time; and with leave of the House, was read the second time forthwith.

Mr. Burton moved, that the rule be farther dispensed with, and that the said Resolution be read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said resolution was read the third time and passed.

Ordered, That the Clerk acquaint the Senate therewith.

The Resolution from the Senate, "relative to the Treasurer,"* was read the first time; and was, with leave of the House, read the second time forthwith.

Mr. Burnet moved, to amend the said Resolution, as follows, viz: Strike out "with the concurrence of the," and insert, "by the Senate," and after "Representatives," insert "of the State of Mississippi, in General Assembly convened."

And the question thereon being taken,

It was resolved in the affirmative.

Mr. Burnet moved, farther to amend the said Resolution, as follows, viz: Add at the end of the Resolution, to wit: "or any of its branches."

And the question being put,

It was resolved in the affirmative.

Mr. Burnet moved, that the rule be further dispensed with, and that the said Resolution be read the third time, as amended, forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Resolution was read the third time, as amended, and passed.

Ordered, That the Clerk acquaint the Senate therewith, and desire their concurrence in said amendments.

Mr. Burnet presented the petition of Wm. Walker, and others; which was read, and referred to a select committee.

And Messrs. Burnet, Smith and Dougherty were appointed.

On motion of Mr. Gordon,

The following Resolution was *unanimously* adopted:

Resolved, unanimously, That the Honorable Gerard C. Brandon, Speaker of this House, be, and he hereby is, entitled to the thanks of this House, for the impartial and able discharge of his duties as Speaker.

On motion of Mr. Burton,

The House adjourned till 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Metcalfe called for the order of the day on the Bill, entitled "An act, making appropriations for certain persons therein named," which was read the second time.

Mr. Runnels moved, that the House forthwith resolve itself into a committee of the whole house on said Bill;

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The House resolved itself into a committee of the whole House, on said Bill ;

And after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Dickson reported, that the committee had had the said Bill under consideration, had made some progress therein, and that he was directed to ask for leave to sit again.

On motion of Mr. Dickson,

Resolved, That the said report be agreed to.

The House proceeded to consider the amendment made by the Senate to the Bill, entitled "An act, to divide the County of Hinds, and form a new county out of the same."

Mr. Runnels moved that the House concur in said amendment.

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Fox, from the committee to whom was referred the Resolution instructing them to inquire into the expediency of making further provision for improving the navigation of Big Black and Pearl River, Reported—

"That they have had that subject under consideration, and it is with regret that, from the fiscal concerns of the State, they are of opinion that it will be impolitic at this time, to make any further appropriations for improving the navigation of said rivers. That they have received a report from the

commissioners appointed to superintend the improving the navigation of Big Black, but no information of the progress made by the commissioners appointed to superintend the improving the navigation of Pearl River, has been referred to them.

"Your committee, therefore, recommend that the subject be postponed until the next session of the General Assembly."

Which report was read, and agreed to by the House.

The farther orders of the day were postponed. And,

On motion,

Resolved, That the House adjourn 'till 9 o'clock to-morrow morning.

TUESDAY, JANUARY 21, 1823.

The House met pursuant to adjournment.

Mr. Hurst, from the committee of Propositions and Grievances, reported that the committee have had the Petition of P. Howell, R. Roberts and others under their consideration, and beg leave to report as follows:

"*Resolved*, That Philip Howell, Richard Robertson and others, have leave to withdraw their Petition."

On motion of Mr. Hurst,

Resolved, That the said report be received and agreed to.

Mr. Cage, from the joint committee on enrolled Bills, reported that the committee had examined the following enrolled Bills, viz:

"An act, to emancipate Maria Louisa, a person of color."

"An act, for the relief of Samuel C. Wooldridge, Joseph Winn, and others."

"An act, concerning public roads in Adams County."

"An act, to incorporate the Trustees of the Baptist Church of Clear Creek, in the Town of Washington."

"An act, supplementary to an act, entitled "An act, to appoint commissioners to locate the lands given by the United States to this State, for a seat of Government," and found them truly enrolled.

Whereupon—

Mr. Speaker signed them.

Ordered, That the clerk carry the said Bills to the Senate for the signature of the President thereof.

The House, according to the order of the day, resolved itself into a committee of the whole house on the Bill, entitled "An act, to amend an act, prescribing what laws of a public nature shall be incorporated in the Revised Code, and provid-

ing for the publication thereof," and after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Hurst reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

On motion of Mr. Hurst,

Resolved, That said report be received and agreed to.

Mr. Burton moved, that the said Bill be considered as engrossed, and the said Bill be read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

A Message from the Governor, by Mr. Patrick, his private Secretary: notifying this House, that the Governor did on the 20th instant, approve and sign the following acts, viz:

"An act, to establish Election Districts, in several counties in this State."

"An act, to enable claimants of lands in the State of Mississippi, to perpetuate the evidences of their claims."

"An act, for the relief of James C. Dickson."

"An act, to compel the Collector of Franklin County, for the year 1818, to pay certain moneys by him collected, to the commissioners for Public Buildings in said County."

"An act, to re-establish the salary of the Adjutant General."

"An act, to prescribe the mode of changing the venue in civil cases."

"An act, to incorporate the Trustees of Centre Academy and Meeting House, in Claiborne County "

"An act, to extend the limits of Warren County, and to designate the boundary lines of the same." And,

"An act, to amend an act, entitled "An act, concerning highways, ferries and bridges."

The House, according to the order of the day, resolved itself into a committee of the whole House, on the Bill, entitled "An act, to repeal an act, to reduce into one, the several acts regulating Inns, Taverns and houses of private entertainment, and for the restraint of tippling houses, and for other purposes."

And after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Fox reported, that the committee had had said Bill

under consideration, and had made sundry amendments thereto.

Which were handed in at the Clerk's table, and concurred in by the House.

Mr. Burton moved, that the said Bill be considered as engrossed, and read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time.

Mr. Metcalfe moved, to amend the Bill, by way of Rider, as follows, to wit, at the end of the 7th section, add, viz:

"Provided, that in the County of Adams, the Clerk of the County Court shall furnish the Criminal Court of said County on the first day of each term thereof, with a list of persons who have obtained licences to keep inns and taverns, or tippling houses in said county, in the manner above prescribed."

The question thereon being taken,

It was resolved in the affirmative.

The question then recurred on the passage of the Bill, with the rider, and passed in the affirmative.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Dougherty, submitted the following resolution, viz:

"Resolved by the Senate and House of Representatives of the State of Mississippi, in General Assembly convened, that William Walker and George Fennuton, citizens of the town of Jackson, be allowed to remain six months after the passage of this resolution, on the respective blank squares which they have settled, any law relative to the Town of Jackson to the contrary notwithstanding; provided, however, they commit no waste on said squares;" which was read the first time, and with leave of the house, was read the second time forthwith.

Mr. Runnels moved, that the rule be farther dispensed with, and that the said resolution be read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said resolution was read the third time, and passed.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The House, according to the order of the day, again resolved itself into a committee of the whole house, on the Bill,

entitled "An act, to amend an act, entitled "An act, to define the boundaries of the several Counties of this State."

And after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Cage reported, that the committee had again had the said Bill under consideration, and had made sundry amendments thereto.

Which were handed in at the Clerk's table, and concurred in by the House.

Mr. Hinds moved, that the said Bill be considered as engrossed, and read the third time forthwith.

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Cage from the joint committee of enrolled Bills, reported that the committee had presented to his Excellency, the Governor, for his approbation and signature the following Bills, viz:

"An act, for the relief of Samuel C. Wooldridge, Joseph Winn, and others."

"An act, concerning public roads in Adams County."

"An act, to incorporate the Trustees of the Baptist Church of Clear Creek, in the Town of Washington."

"An act, supplementary to an act, entitled "An act, to appoint commissioners to locate the lands given by the United States to this State for a Seat of Government." And,

"An act, to emancipate Maria Louisa, a person of colour."

The House, according to the order of the day, resolved itself into a committee of the whole House on the Bill, entitled "An act, to alter and amend an act, prescribing the mode of ascertaining and assessing the taxable property within this State, and for collecting the public revenue ;"

And after some time spent therein,

Mr. Speaker resumed the chair ; and,

Mr. Cleveland reported, that the committee had had the said Bill under consideration, and that he was directed to report the same without amendment.

Which was received and agreed to by the House.

Mr. Hinds moved, that the farther consideration of said Bill be postponed indefinitely.

And the question thereon being taken,

It was resolved in the affirmative.

The House, according to the order of the day, resolved itself into a committee of the whole house, on the Bill, entitled "An act, to amend an act, further to provide for the collection of fines, penalties, forfeitures and amercements;"

And after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Guice reported, that the committee had had the said Bill under consideration, and had made sundry amendments thereto.

Which were handed in at the Clerk's table.

On motion of Mr. Smith,

Resolved, That said report be received and agreed to.

Mr. Runnels moved, that the said Bill be considered as engrossed, and read the third time forthwith;

And the question thereon being taken,

It was resolved in the affirmative.

Whereupon—

The said Bill was read the third time and passed, with the title as stated.

Ordered. That the Clerk desire the concurrence of the Senate therein.

A Message from the Senate, by Mr. Old, their Secretary :

MR. SPEAKER,

His Excellency, the Governor, did on the 20th instant, approve and sign the following acts :

"An act, concerning the duties of Clerks, and to repeal the 13th section of an act, concerning attorneys and counsellors at law."

"An act, to amend an act, entitled "An act, for the better securing the payment of rents, and preventing the fraudulent practices of tenants, and to regulate the mode of suing out writs of replevin."

The Senate have concurred in the amendments to the Resolution relative to the Treasurer.

They have passed the Bill from the House of Representatives, entitled "An act, to change the times of holding the Circuit Courts in the third Judicial District."

And the Bill, entitled "An act, to appoint commissioners to lay out and mark certain roads therein named."

And then he withdrew.

Mr. Hinds, from the select committee to whom was referred the petition of sundry Ladies, praying aid in the establishment of Elizabeth Academy, near Washington, in Adams County, reported as follows, viz:

The select committee, to whom was referred the petition of Sarah Grayson, and other ladies, for an appropriation of mo-

ney for the purpose of repairing and extending the Elizabeth Academy, in the vicinity of the Town of Washington, have given to the subject the best consideration which their time and opportunity have allowed, and beg leave to make the following Report:—

That the Elizabeth Academy has been established about four years, is situated in a moral and religious neighborhood remarkable for its salubrity. That the institution has been exclusively devoted to the education of young ladies, and has been conducted by an instructress of great abilities and of uncommon qualifications for the management of young females. That the institution has been, as your committee have been informed, more extensively useful than could have been expected from one depending entirely on fees for tuition and on private contribution.

Your committee have a lively sympathy for the languishing condition of an institution so well adapted to the cultivation and improvement of the female mind; and they so highly appreciate the natural and moral worth of the better half of the human species, that they view with the deepest interest and solicitude the praise-worthy exertions of the petitioners to attain objects of such high importance, that they cannot hesitate to recommend to this House, to grant to the Elizabeth Academy a sufficient sum of money to aid and support the ladies in their efforts, so advantageous to the rising generation and to posterity, and so eminently honorable to themselves; and they feel a pleasing confidence in the belief, that in their application to the fathers, brothers, and other gallant gentlemen composing this General Assembly, the ladies cannot, and will not be disappointed.

B. METCALFE, *Chairman
of the Committee.*

Which was read.

On motion of Mr. Hinds, for the purpose,

Resolved; That the farther consideration of the said report, be postponed until the meeting of the next General Assembly.

Mr. Cage, from the joint committee on enrolled Bills, reported that the committee had examined the following enrolled Bills, to wit:

“An act, to emancipate Hannah Brooks, a person of colour.”

“An act, to divide the county of Hinds and for other purposes.”

Also, the following resolutions, viz:

“A Resolution relative to the Treasurer.”

"A Resolution for the benefit of the Secretary of State and Auditor of Public Accounts."

And found them correctly enrolled.

Whereupon—

Mr. Speaker signed them.

Ordered, That the Clerk carry the same to the Senate, for the signature of the President thereof.

The engrossed Bills, viz :

"An act, to repeal an act, entitled "An act, to amend an act, to incorporate the Town of Monticello;" And,

"An act, to incorporate the town of Jackson;"

Were severally read the third time and passed.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the Senate to concur in said Bills.

The engrossed Bill, entitled "An act, to emancipate Limerick, a person of colour ;" was read the third time.

Mr. Hinds moved, that the farther consideration of said Bill be postponed indefinitely.

And the question thereon being taken,

It was resolved in the affirmative.

The Bill from the Senate entitled "An act, to provide for a special tax in the county of Marion, and for other purposes ;"

Was read the first time; and with leave of the House, was read the second time, forthwith.

Mr. Dougherty moved, that the farther consideration of the said Bill be postponed indefinitely.

And the question thereon being taken,

It was resolved in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Runnels, called for the order of the day on the Bill, from the Senate entitled "An act, supplemental to an act, entitled "An act, concerning the appointment, jurisdiction and powers of Justices of the Peace within this State."

Mr. Hinds moved, that the farther consideration of said Bill, be postponed until the next meeting of the General Assembly,

And the question being put,

Mr. Gibson, and two other members called for the Yeas and Nays.

Those who voted in the affirmative, are,

Mr. Speaker,

Mr. Guice,

Burton,

Hinds,

Cage,

Liddell,

Dougherty,

Lang,

Dickson,

Metcalf,

Davidson,
Gordon,

Snodgrass,
Williams—14.

Those who voted in the negative, are,

Mr. Cleveland,
Cooper,
Davis,
Fox,
Gibson,
Graves,
Hurst,

Mr. McLeod,
Runnels,
Reese,
Reed,
Robinson,
Smith,

13.

And so the Bill was postponed until the meeting of the next General Assembly.

Ordered, That the Clerk acquaint the Senate therewith.

The House according to the order of the day resolved itself into a committee of the whole House on the Bill, entitled "An act, to change the time of the next meeting of the General Assembly, and to organize the two Houses thereof,"

And after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Davidson reported, that the committee had had the said Bill under consideration, and had made an amendment thereto.

Which was handed in at the Clerk's table.

On motion of Mr. Davidson,

Resolved, That the said report be agreed to.

On motion of Mr. Runnels,

Ordered, That the said Bill be engrossed, as amended, and made the order of the day for its third reading to day.

On motion of Mr. Smith,

Resolved, That this House adjourn 'till 4 o'clock, P. M.

And then the House adjourned.

FOUR O'CLOCK, P. M.

The House met pursuant to adjournment.

The House, according to the order of the day, again resolved itself into a committee of the whole house, on the Bill, entitled "An act, making appropriations for certain persons therein named;"

And after some time spent therein,

Mr. Speaker resumed the chair; and,

Mr. Gibson reported, that the committee had again had the said Bill under consideration, and had made some amendments therein.

Which were handed in at the Clerk's table.

On motion of Mr. Smith,

Resolved, That the said report be received.

The said amendments being severally read,

Mr. Smith moved, to strike out *three hundred*, the appropriation made to Peter Isler, and insert in lieu thereof, "*two hundred and four*."

And the question thereon being taken,

It was resolved in the affirmative,

By yeas and nays, called for by Mr. Smith, and two other members.

Those who voted in the affirmative, are

Mr. Ard,	Mr. Runnels,
Cleveland,	Reed,
Cooper,	Robinson,
Davis,	Smith,
Davidson,	Snodgrass,
Gibson,	Williams.
Graves,	13.

Those who voted in the negative, are

Mr. Speaker,	Mr. Hurst,
Cage,	Liddell,
Fox,	Metcalf,
Gordon,	Selcer,
Guice,	9.

Mr. Williams moved, to amend the said report as follows, viz: Strike out 64, an appropriation to W. A. Old, and insert in lieu thereof 84.

And the question thereon being taken,

It was resolved in the affirmative.

The question then recurred on concurring in the said report of the committee of the whole house, as amended, and was agreed to by the House.

On motion of Mr. Smith,

Ordered, That the said Bill be engrossed, as amended, and made the order of the day for this day.

A Message from the Senate by Mr. Old, their Secretary :

MR. SPEAKER,

The Senate have concurred in the amendments from the House of Representatives, to the Bill, entitled "An act, to revive an act, entitled "An act, making appropriations, and for other purposes," with certain amendments thereto, in which they desire the concurrence of the House of Representatives.

The Senate have passed a Bill from the House of Representatives, entitled "An act, to amend an act, declaring what

laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof," with an amendment thereto.

In which amendment they desire the concurrence of the House of Representatives.

And then he withdrew.

The engrossed Bill, entitled "An act, to amend an act, to reduce into one the several acts concerning Executions, and for the relief of Insolvent Debtors," was read the third time.

Mr. Burnet moved, that the farther consideration of said Bill, be postponed indefinitely.

And the question thereon being taken,

It was determined in the negative.

The question then recurred on the passage of the Bill, and passed in the affirmative.

Resolved, That the title thereof be as stated.

Ordered, That the Clerk desire the concurrence of the Senate therein.

The engrossed Bill, entitled "An act, making appropriations to certain persons therein named," was read the third time and passed.

On motion of Mr. Metcalfe,

Resolved, That the title thereof be, "An act, making certain appropriations."

Ordered, That the Clerk desire the concurrence of the Senate therein.

Mr. Cage, from the joint committee of enrolled Bills, reported that the committee had presented to his Excellency, the Governor, for his approbation and signature, the following Bills viz:

"An act, to emancipate Hannah Brooks, a person of colour."

"An act, to divide the county of Hinds and for other purposes."

"A Resolution relative to the Treasurer." And,

"A Resolution for the benefit of the Secretary of State and Auditor of Public Accounts."

The engrossed Bill, entitled "An act, to change the time of the next meeting of the General Assembly, and to organize the two Houses thereof," was read the third time.

On motion of Mr. Burnet,

The Bill was amended by a rider, adopted by the House.

And the question then recurred on the passage of the Bill, as amended, and passed in the affirmative.

On motion of Mr. Burnet,

Resolved, That the title thereof be, "An act, to change the time of the next meeting of the General Assembly, and to or-

ganize the two Houses thereof, and regulating the duties of tax collectors."

Ordered, That the Clerk desire the concurrence of the Senate in said Bill.

A Message from the Senate, by Mr. Old, their Secretary :

MR. SPEAKER,

The Senate have concurred in the Resolution, from the House of Representatives, in favor of W. Walker and G. Fen-
nuton.

They have passed Bills, from the House of Representatives, of the following titles, to wit:

"An act, to amend an act, entitled "An act, to define the boundaries of the several counties in this State."

"An act, further to provide for the collection of fines, penalties, forfeitures and amercements."

"An act, to incorporate the Town of Jackson."

And then he withdrew.

A Message from the Governor, by Mr. Patrick, his private Secretary: notifying this House, that His Excellency did on this day, approve and sign "An act, to divide the County of Hinds, and form new Counties out of the same."

Mr. Burton submitted the following resolution:

Resolved, With the concurrence of the Senate, that the resolution passed by both Houses of the General Assembly, to adjourn, *sine die*, on the 21st instant, be and the same is hereby rescinded, for the purpose of reconsidering and taking into consideration and passing, a Bill for the election of Justices of the Peace.

Which was read;

And the question thereon being taken,

It was determined in the negative.

The House proceeded to consider the amendments made by the Senate, to the amendments made by this House, to the Bill from the Senate, entitled "An act, reviving an act, making appropriations therein named, and for other purposes;" which being severally read, were concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

The House, also, proceeded to consider the amendments made by the Senate to the Bill, entitled "An act, to amend an act, declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof;" which were read and concurred in by the House.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Burton offered the following Resolution:

Resolved, By the House of Representatives, with the concurrence of the Senate, that a joint committee be appointed to

wait on His Excellency, the Governor, and inform him that both Houses of the General Assembly have gone through the business before them, and are now ready to adjourn, if His Excellency should have no other communications to make to them.

Which was read, and ordered to lie on the table.

On motion of Mr. Metcalfe,

Resolved, That the farther orders of the day be postponed until the meeting of the next General Assembly.

A message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have passed Bills, from the House of Representatives, of the following titles, viz:

“An act, to amend an act, to reduce into one the several acts concerning Executions, and for the relief of Insolvent Debtors.” And,

“An act, making certain appropriations.”

With some amendments thereto; in which amendments they desire the concurrence of the House of Representatives.

And then he withdrew.

The House proceeded to consider the amendments made by the Senate to the Bill, entitled “An act, making certain appropriations;” which were severally read, and concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had examined the following enrolled Bills, viz:

“An act, to provide for opening a road from the Town of Jackson, to the Mississippi River, and making an appropriation therefor.”

“An act, to change the time of holding the Circuit Courts in the third Judicial District.”

“An act, to incorporate the Town of Jackson.”

“An act, to amend an act, entitled “An act, to define the boundaries of the several Counties of this State.” And,

“A Resolution in favor of W. Walker and G. Fennuton.”

And found them truly enrolled.

Whereupon—

Mr. Speaker signed them.

Ordered, That the Clerk carry the same to the Senate, for the signature of the President thereof.

Mr. Burton called for the further consideration of the resolution, submitted by him for the appointment of a joint committee, to wait on the Governor; which was again read and concurred in by the House;

And Messrs. Burton, Runnels and Williams were appointed.

Ordered, That the Clerk desire the concurrence of the Senate therein.

A Message from the Senate, by Mr. Old, their Secretary :

MR. SPEAKER

The Senate have passed the Bill from the House of Representatives, entitled "An act, to change the time of the next meeting of the General Assembly, and to organize the two houses thereof;" with an amendment thereto.

In which they desire the concurrence of the House of Representatives.

And then he withdrew.

The House proceeded to consider the said amendment, to the Bill in the last above Message contained, which being read.

Mr. Gibson moved, that this House disagree thereto.

And the question thereon being taken,

It was determined in the negative.

Ordered, That the Clerk inform the Senate that this House concurs in said amendment.

Mr. Burton, from the joint committee appointed by a resolution of both Houses of the General Assembly, to report to His Excellency, the Governor of the State of Mississippi, all appointments that have been made by a joint vote of the Legislature, beg leave to report that they have performed that duty.

Mr. Cage made the following report, viz :

The joint committee on enrolled Bill, have presented to His Excellency, the Governor, for his approbation and signature, Bills of the following titles, to wit :

"An act, to provide for opening a road from the town of Jackson, to the Mississippi River, and making an appropriation therefor."

"An act, to change the time of holding the Circuit Courts in the third Judicial District."

"An act, to incorporate the town of Jackson."

"An act, to amend an act, entitled "An act, to define the boundaries of the several Counties of this State."

"A Resolution in favour of W. Walker and G. Finnuton."

A message from the Senate, by Mr. Old, their Secretary :

MR. SPEAKER,

The Senate have passed "A Resolution to go forthwith into the election of Judges of Probate, for the Counties of Bainbridge, Hinds, Yazoo and Copiah, and such other vacancies for County officers as may exist,

In, which Resolution they desire the concurrence of the House of Representatives.

And then he withdrew.

The resolution from the Senate to go forthwith into an election of certain officers, therein named," was read, and,

On motion of Mr. Smith,

Resolved, That this House concur therein.

Ordered. That the Clerk inform the Senate thereof, and that this House is now ready to receive the Senate, to go into said election.

The Clerk having performed that duty, the Senate came into the Representative Chamber, and took the Seats assigned to them, and the two Houses proceeded in said election.

The votes were as follows, viz :

For William P. Gadberry.

For Judge of Probate, for the County of Yazoo.

SENATORS.

Mr. Anderson,
Barry,
Brown,
Calvit,

Mr. Regan,
Sessions,
Spencer.

7.

REPRESENTATIVES.

Mr. Speaker,
Burnet,
Cooper,
Davis,
Dickson,
Davidson,
Gibson,
Gordon,
Guice,
Graves,

Mr. Hurst,
Hinds,
Lang,
Metcalf,
Runnels,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams.--20.

---27.

For Associate Justices for the same county, the votes were as follows, viz:

For Robert Beaty and Levi Hall.

SENATORS.

Mr. Anderson,
Barry,
Brown,
Calvit,

Mr. Regan,
Sessions,
Spencer,

7.

REPRESENTATIVES.

Mr. Speaker,
Burnet,
Cooper,
Davis,
Dickson,
Davidson,
Gibson,
Gordon,

Mr. Hurst,
Hinds,
Lang,
Metcalf,
Runnels,
Robinson,
Smith,
Selcer,

Guice,
Graves, 1

Snodgrass,
Williams—20.

—27.

Whereupon—

The President of the Senate announced to the two Houses, in joint meeting that Wm. P. Gadberrry, was legally and constitutionally elected Judge of Probate, and Robert Beaty and Levi Hall were legally and constitutionally elected associate Justices for the county of Yazoo.

For associate Justices for the county of Hinds, the votes were as follows, viz:

For Hiram G. Runnels and John W. Smith.

SENATORS.

Mr. Anderson,
Barry,
Brown,
Calvit,

Mr. Regan,
Sessions,
Spencer,

7.

REPRESENTATIVES.

Mr. Speaker,
Cleveland,
Cooper,
Davis,
Dickson,
Davidson,
Gibson,
Gordon,
Guice,
Graves,
Hurst,

Mr. Hinds,
Liddell,
Lang,
Metcalfé,
Runnels,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams. 21.

—23.

Whereupon—

The President of the Senate announced to the two houses, that H. G. Runnels and Jno. W. Smith, were legally and constitutionally elected associate Justices, for the county of Hinds.

For Judge of Probate, and associate Justices for the county of Copiah the votes were as follows, viz:

For Barnabas Allen.—Judge of Probate.

John Core,

Lewis Parker,

}

Associate Justices.

SENATORS

Mr. Anderson,
Barry,
Brown,
Calvit,

Mr. Regan,
Sessions,
Spencer,

7.

REPRESENTATIVES.

Mr. Speaker,
Burnet,
Cleveland,

Mr. Hurst,
Hinds,
Liddell,

Cooper,
Davis,
Dickson,
Davidson,
Gibson,
Gordon,
Guice,
Graves,

Lang,
Metcalf,
Runnels,
Robinson,
Smith,
Selcer,
Snodgrass,
Williams.—22.

—29.

Whereupon—

The President of the Senate, announced to the two Houses, that Barnabus Allen, as Judge of Probate, and John Core and Lewis Parker, as associate Justices were legally and constitutionally elected for the county of Copia.

For Henry Ashton.—Judge of Probate.

And John Harvey,
John Terrell, } Associate Justices.

For the county of Bainbridge, the votes were as follows, viz; The same as last above.

Whereupon—

The President of the Senate announced to the two Houses, that Henry Ashton, for Judge of Probate, and John Harvey and John Terrell, for associate Justices, were legally and constitutionally elected, for the county of Bainbridge.

For Thomas Bilbo, for Judge of Probate, for the County of Jackson, the votes were the same last above.

Whereupon—

The President of the Senate announced to the two Houses, that Thomas Bilbo, was legally and constitutionally elected Judge of Probate for the county of Jackson.

For Associate Justice for the county of Marion, the votes were the same as last above, for Luther Preston.

Whereupon—

The President of the Senate announced to the two Houses, that Luther Preston, was legally and constitutionally elected an Associate Justice for the County of Marion.

For Robert Love, Associate Justice for the County of Pike, the votes were the same as last, except that Mr. Burnet did not vote. Whereupon—

The President of the Senate announced to the two Houses, that Robert Love, was legally and constitutionally elected Associate Justice for the county of Pike.

And then the Senate withdrew.

Mr. Cage, from the joint committee on enrolled Bills, reported, that the committee had examined Bills of the following titles, viz:

“An act, making certain appropriations.”

"An act, to amend an act, to reduce into one the several acts concerning executions, and for the relief of insolvent debtors."

"An act, to provide for the contingent fund of the executive department, and for the publication and distribution of the laws and journals."

"An act, further to provide for the collection of fines, penalties, forfeitures and amercements."

"An act, to amend an act, declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof."

"An act, to change the time of the next meeting of the General Assembly, and to organize the two Houses thereof, and regulating the duties of tax collectors;" and find the same truly enrolled.

Whereupon—Mr. Speaker signed them.

Ordered, That the clerk carry the same to the Senate for the signature of the President thereof.

On motion of Mr. Dickson,

The following resolution was adopted, viz:

"Resolved, That the thanks of this House, be presented to the committee on enrolled Bills, for the industry and ability they have exercised in the discharge of the arduous duties assigned them."

Mr. Cage, from the joint committee on enrolled Bills, reported that the committee had presented to His Excellency, the Governor, for his approbation and signature, Bills of the following titles, viz:

"An act, making certain appropriations."

"An act, to amend an act, to reduce into one the several acts concerning executions, and for the relief of insolvent debtors."

"An act, to provide for the contingent fund of the executive department, and for the publication and distribution of the Laws and Journals."

"An act, further to provide for the collection of fines, penalties, forfeitures, and amercements."

"An act, to amend an act, declaring what laws of a public nature, shall be incorporated in the Revised Code, and providing for the publication thereof."

"An act, to change the time of the meeting of the General Assembly, and to organize the two Houses thereof, and regulating the duties of Tax Collectors."

A Message from the Governor, by Mr. Patrick, his private Secretary, informing this House, that His Excellency, did on this day, approve and sign the following acts, &c. viz:

"An act, supplementary to an act, entitled "An act, to appoint commissioners to locate the lands given by the United States to this State for a seat of Government,"

"An act, for the relief of Samuel C. Wooldridge, Joseph Winn, and others."

"An act, to emancipate Maria Louisa, a person of color."

"An act, concerning public roads in Adams County."

"An act, to incorporate the Trustees of the Baptist Church of Clear Creek, in the Town of Washington."

"An act, to provide for opening a road from the Town of Jackson to the Mississippi river, and making an appropriation therefor."

"An act, to change the times of holding the Circuit Courts in the third Judicial District."

"An act, to incorporate the Town of Jackson."

"An act, to amend an act, entitled "An act, to define the boundaries of the several Counties of this State;"

"A resolution in favour of Wm. Walker and Geo. Finnuton."

"An act, making certain appropriations."

"An act, to change the time of the next meeting of the General Assembly, and to organize the two Houses thereof, and regulating the duties of Tax Collectors."

"An act, to amend an act, to reduce into one the several acts concerning executions, and for the relief of insolvent debtors."

"An act, further to provide for the collection of fines, penalties, forfeitures and amercements."

"An act, to amend an act, declaring what laws of a public nature shall be incorporated in the Revised Code, and providing for the publication thereof."

A Message from the Senate, by Mr. Old, their Secretary:

MR. SPEAKER,

The Senate have concurred in the resolution from the House of Representatives, appointing a committee to wait on His Excellency, the Governor, and have on their part appointed Messrs. Sessions and Barry.

And then he withdrew.

Mr. Burton, from the joint committee appointed to wait on His Excellency, the Governor, and inform him the two Houses having gone through the business before them, are ready to adjourn, unless he has farther communications to make to them, reported that the committee had performed that service and received for answer, that His Excellency, had no farther communications to make to the General Assembly.

The Speaker having addressed the House in reply to the unanimous resolution in his favour, adopted on yesterday. The House adjourned, *sine die*, in pursuance of a joint resolution adopted some days ago.

P. A. SANDORN, Clerk.

Tuesday Evening, January 21, 1823.